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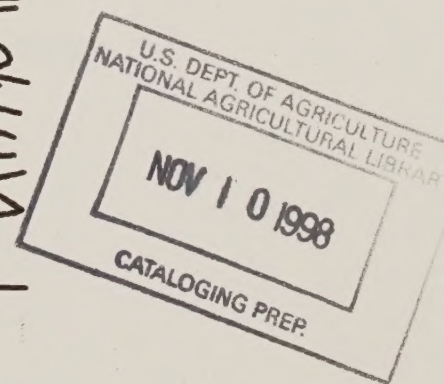
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Environmental Justice Resource Guide



“Continuing Our Perspective
Keeping People First!”

April 1996
Atlanta
Georgia

USDA Forest Service
And
Department of Interior

NO 10



**USDA Forest Service
Washington Office
Civil Rights Staff
Equal Opportunity Program
Environmental Justice Program**

Environmental Justice Resource Guide

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**USDA Forest Service
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Environmental Justice Resource Guide

I.

General Background Information

PRINCIPLES OF ENVIRONMENTAL JUSTICE

The First National People of Color Environmental Leadership Summit

October 24-27, 1991

Washington, DC

PREAMBLE

WE, THE PEOPLE OF COLOR, gathered together at this multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of our Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to ensure environmental justice; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and, to secure our political, economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do affirm and adopt these Principles of Environmental Justice:

1. Environmental justice affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
2. Environmental justice demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
3. Environmental justice mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
4. Environmental justice calls for universal protection from nuclear testing and the extraction, production and disposal of toxic/hazardous wastes and poisons that threaten the fundamental right to clean air, land, water, and food.
5. Environmental justice affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
6. Environmental justice demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
7. Environmental justice demands the right to participate as equal partners at every level of decision-making including needs assessment, planning, implementation, enforcement and evaluation.

8. **Environmental justice affirms the right of all workers to a safe and healthy work environment, without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.**
9. **Environmental justice protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.**
10. **Environmental justice considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.**
11. **Environmental justice must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.**
12. **Environmental justice affirms the need for an urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and providing fair access for all to the full range of resources.**
13. **Environmental justice calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.**
14. **Environmental justice opposes the destructive operations of multi-national corporations.**
15. **Environmental justice opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.**
16. **Environmental justice calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.**
17. **Environmental justice requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to insure the health of the natural world for present and future generations.**

Adopted, October 27, 1991

**The First National People of Color Environmental Leadership Summit
Washington, DC**

Title 3—

Executive Order 12898 of February 11, 1994

The President

Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1—1. IMPLEMENTATION.

1-101. Agency Responsibilities. To the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.

1-102. Creation of an Interagency Working Group on Environmental Justice
(a) Within 3 months of the date of this order, the Administrator of the Environmental Protection Agency ("Administrator") or the Administrator's designee shall convene an interagency Federal Working Group on Environmental Justice ("Working Group"). The Working Group shall comprise the heads of the following executive agencies and offices, or their designees: (a) Department of Defense; (b) Department of Health and Human Services; (c) Department of Housing and Urban Development; (d) Department of Labor; (e) Department of Agriculture; (f) Department of Transportation; (g) Department of Justice; (h) Department of the Interior; (i) Department of Commerce; (j) Department of Energy; (k) Environmental Protection Agency; (l) Office of Management and Budget; (m) Office of Science and Technology Policy; (n) Office of the Deputy Assistant to the President for Environmental Policy; (o) Office of the Assistant to the President for Domestic Policy; (p) National Economic Council; (q) Council of Economic Advisers; and (r) such other Government officials as the President may designate. The Working Group shall report to the President through the Deputy Assistant to the President for Environmental Policy and the Assistant to the President for Domestic Policy.

(b) The Working Group shall: (1) provide guidance to Federal agencies on criteria for identifying disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(2) coordinate with, provide guidance to, and serve as a clearinghouse for, each Federal agency as it develops an environmental justice strategy as required by section 1-103 of this order, in order to ensure that the administration, interpretation and enforcement of programs, activities and policies are undertaken in a consistent manner;

(3) assist in coordinating research by, and stimulating cooperation among, the Environmental Protection Agency, the Department of Health and Human Services, the Department of Housing and Urban Development, and other agencies conducting research or other activities in accordance with section 3-3 of this order;

(4) assist in coordinating data collection required by this order;

(5) examine existing data and studies on environmental justice;

(6) hold public meetings as required in section 5-502(d) of this order; and

(7) develop interagency model projects on environmental justice that evidence cooperation among Federal agencies.

1-103. Development of Agency Strategies. (a) Except as provided in section 6-605 of this order, each Federal agency shall develop an agency-wide environmental justice strategy, as set forth in subsections (b)-(e) of this section that identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. The environmental justice strategy shall list programs, policies, planning and public participation processes, enforcement, and/or rulemakings related to human health or the environment that should be revised to, at a minimum: (1) promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations; (2) ensure greater public participation; (3) improve research and data collection relating to the health of and environment of minority populations and low-income populations; and (4) identify differential patterns of consumption of natural resources among minority populations and low-income populations. In addition, the environmental justice strategy shall include, where appropriate, a timetable for undertaking identified revisions and consideration of economic and social implications of the revisions.

(b) Within 4 months of the date of this order, each Federal agency shall identify an internal administrative process for developing its environmental justice strategy; and shall inform the Working Group of the process.

(c) Within 6 months of the date of this order, each Federal agency shall provide the Working Group with an outline of its proposed environmental justice strategy.

(d) Within 10 months of the date of this order, each Federal agency shall provide the Working Group with its proposed environmental justice strategy.

(e) Within 12 months of the date of this order, each Federal agency shall finalize its environmental justice strategy and provide a copy and written description of its strategy to the Working Group. During the 12 month period from the date of this order, each Federal agency, as part of its environmental justice strategy, shall identify several specific projects that can be promptly undertaken to address particular concerns identified during the development of the proposed environmental justice strategy, and a schedule for implementing those projects.

(f) Within 24 months of the date of this order, each Federal agency shall report to the Working Group on its progress in implementing its agency-wide environmental justice strategy.

(g) Federal agencies shall provide additional periodic reports to the Working Group as requested by the Working Group.

1-104. Reports to the President. Within 14 months of the date of this order, the Working Group shall submit to the President, through the Office of the Deputy Assistant to the President for Environmental Policy and the Office of the Assistant to the President for Domestic Policy, a report that describes the implementation of this order, and includes the final environmental justice strategies described in section 1-103(e) of this order.

Sec. 2-2. FEDERAL AGENCY RESPONSIBILITIES FOR FEDERAL PROGRAMS. Each Federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including popu-

lations) to discrimination under such programs, policies, and activities, because of their race, color, or national origin.

Sec. 3-3. RESEARCH, DATA COLLECTION, AND ANALYSIS.

3-301. *Human Health and Environmental Research and Analysis.* (a) Environmental human health research, whenever practicable and appropriate, shall include diverse segments of the population in epidemiological and clinical studies, including segments at high risk from environmental hazards, such as minority populations, low-income populations and workers who may be exposed to substantial environmental hazards.

(b) Environmental human health analyses, whenever practicable and appropriate, shall identify multiple and cumulative exposures.

(c) Federal agencies shall provide minority populations and low-income populations the opportunity to comment on the development and design of research strategies undertaken pursuant to this order.

3-302. *Human Health and Environmental Data Collection and Analysis.* To the extent permitted by existing law, including the Privacy Act, as amended (5 U.S.C. section 552a): (a) each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information assessing and comparing environmental and human health risks borne by populations identified by race, national origin, or income. To the extent practical and appropriate, Federal agencies shall use this information to determine whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(b) In connection with the development and implementation of agency strategies in section 1-103 of this order, each Federal agency, whenever practicable and appropriate, shall collect, maintain and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding facilities or sites expected to have a substantial environmental, human health, or economic effect on the surrounding populations, when such facilities or sites become the subject of a substantial Federal environmental administrative or judicial action. Such information shall be made available to the public, unless prohibited by law; and

(c) Each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding Federal facilities that are: (1) subject to the reporting requirements under the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. section 11001-11050 as mandated in Executive Order No. 12856; and (2) expected to have a substantial environmental, human health, or economic effect on surrounding populations. Such information shall be made available to the public, unless prohibited by law.

(d) In carrying out the responsibilities in this section, each Federal agency, whenever practicable and appropriate, shall share information and eliminate unnecessary duplication of efforts through the use of existing data systems and cooperative agreements among Federal agencies and with State, local, and tribal governments.

Sec. 4-4. SUBSISTENCE CONSUMPTION OF FISH AND WILDLIFE.

4-401. *Consumption Patterns.* In order to assist in identifying the need for ensuring protection of populations with differential patterns of subsistence consumption of fish and wildlife, Federal agencies, whenever practicable and appropriate, shall collect, maintain, and analyze information on the consumption patterns of populations who principally rely on fish and/or wildlife for subsistence. Federal agencies shall communicate to the public the risks of those consumption patterns.

4-402. *Guidance.* Federal agencies, whenever practicable and appropriate, shall work in a coordinated manner to publish guidance reflecting the latest scientific information available concerning methods for evaluating the human health risks associated with the consumption of pollutant-bearing fish or wildlife. Agencies shall consider such guidance in developing their policies and rules.

Sec. 5-5. **PUBLIC PARTICIPATION AND ACCESS TO INFORMATION.** (a) The public may submit recommendations to Federal agencies relating to the incorporation of environmental justice principles into Federal agency programs or policies. Each Federal agency shall convey such recommendations to the Working Group.

(b) Each Federal agency may, whenever practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English speaking populations.

(c) Each Federal agency shall work to ensure that public documents, notices, and hearings relating to human health or the environment are concise, understandable, and readily accessible to the public.

(d) The Working Group shall hold public meetings, as appropriate, for the purpose of fact-finding, receiving public comments, and conducting inquiries concerning environmental justice. The Working Group shall prepare for public review a summary of the comments and recommendations discussed at the public meetings.

Sec. 6-6. **GENERAL PROVISIONS.**

6-601. *Responsibility for Agency Implementation.* The head of each Federal agency shall be responsible for ensuring compliance with this order. Each Federal agency shall conduct internal reviews and take such other steps as may be necessary to monitor compliance with this order.

6-602. *Executive Order No. 12250.* This Executive order is intended to supplement but not supersede Executive Order No. 12250, which requires consistent and effective implementation of various laws prohibiting discriminatory practices in programs receiving Federal financial assistance. Nothing herein shall limit the effect or mandate of Executive Order No. 12250.

6-603. *Executive Order No. 12875.* This Executive order is not intended to limit the effect or mandate of Executive Order No. 12875.

6-604. *Scope.* For purposes of this order, Federal agency means any agency on the Working Group, and such other agencies as may be designated by the President, that conducts any Federal program or activity that substantially affects human health or the environment. Independent agencies are requested to comply with the provisions of this order.

6-605. *Petitions for Exemptions.* The head of a Federal agency may petition the President for an exemption from the requirements of this order on the grounds that all or some of the petitioning agency's programs or activities should not be subject to the requirements of this order.

6-606. *Native American Programs.* Each Federal agency responsibility set forth under this order shall apply equally to Native American programs. In addition, the Department of the Interior, in coordination with the Working Group, and, after consultation with tribal leaders, shall coordinate steps to be taken pursuant to this order that address Federally-recognized Indian Tribes.

6-607. *Costs.* Unless otherwise provided by law, Federal agencies shall assume the financial costs of complying with this order.

6-608. *General.* Federal agencies shall implement this order consistent with, and to the extent permitted by, existing law.

6-609. *Judicial Review.* This order is intended only to improve the internal management of the executive branch and is not intended to, nor does it create any right, benefit, or trust responsibility, substantive or procedural.

enforceable at law or equity by a party against the United States, its agencies, its officers, or any person. This order shall not be construed to create any right to judicial review involving the compliance or noncompliance of the United States, its agencies, its officers, or any other person with this order.

William Clinton

THE WHITE HOUSE,
February 11, 1994.

[FR Doc. 94-3683
Filed 2-14-94; 3:07 pm]
Billing code 3195-01-P

Editorial note: For the memorandum that was concurrently issued on Federal environmental program reform, see Issue No. 6 of the Weekly Compilation of Presidential Documents.

federal register

**Thursday
January 12, 1984**

Part IV

Environmental Protection Agency

40 CFR Parts 7 and 12

**Nondiscrimination in Programs Receiving
Federal Assistance From the
Environmental Protection Agency; Final
Rule**

CIVIL RIGHTS ACT OF 1964

TITLE VI—NONDISCRIMINATION IN FEDERALLY
ASSISTED PROGRAMS

Sec. 601. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Sec. 602. Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such non-compliance has been so found, or (2) by any other means authorized by law: *Provided, however,* That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

Sec. 603. Any department or agency action taken pursuant to section 602 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 602, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with section 10 of the Administrative Procedure Act, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of that section.

Sec. 604. Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

Sec. 605. Nothing in this title shall add to or detract from any existing authority with respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

ENVIRONMENTAL AGENCY

40 CFR Parts 7 and 12

(FRL 2420-4)

Nondiscrimination in Programs Receiving Federal Assistance From the Environmental Protection Agency

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule implements statutes which prohibit discrimination on the grounds of race, color, national origin, sex and handicap. Instead of a separate rule to implement each statute, this consolidated rule includes all requirements of the statutes and clarifies the requirements imposed on EPA assistance (see Appendix for partial listing).

When implemented, this regulation will streamline the administrative requirements currently imposed on recipients of agency funds by multiple nondiscrimination regulations. In addition, it will strengthen agency monitoring efforts by eliminating redundancy and refining compliance procedures.

EFFECTIVE DATE: February 13, 1984.

FOR FURTHER INFORMATION CONTACT: Nathaniel Scurry, Director, Office of Civil Rights (A-105), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, (202) 382-4573 (voice) or TDD (202) 382-4568. Copies of the rule will also be available in Braille at EPA Headquarters and each EPA Regional Office.

SUPPLEMENTARY INFORMATION: This rule revises the EPA regulation implementing Title VI of the Civil Rights Act of 1964, as amended, published in the Federal Register on July 5, 1973 (40 CFR Part 7), and incorporates the regulation implementing Section 13 of the Federal Water Pollution Control Act Amendment of 1972 (Pub. L. 92-500), published by EPA on September 13, 1974 (40 CFR Part 12), which prohibits sex discrimination in all EPA assisted programs under the Federal Water Pollution Control Act. This rule consolidates EPA's handicap and sex nondiscrimination requirements into 40 CFR Part 7; 40 CFR Part 12 is being removed.

Title IX of the Education Amendments of 1972 (relating to nondiscrimination on the basis of sex in educational programs) is not addressed in this regulation. Under 40 CFR Part 30, however, recipients of EPA assistance must comply with Title IX, if applicable.

This rule was proposed in the Federal Register on January 8, 1981 (46 FR 2308) and the comment period ended on March 9, 1981. Extensive comments from the EPA Program Offices and the Department of Justice (DOJ) have been incorporated in this final rule. Further, the requirements covering Section 504 of the Rehabilitation Act of 1973 as amended, comport with the coordination guidelines established by the Department of Health, Education, and Welfare and transferred to the Department of Justice by Executive Order 12250 as they are interpreted by the Department of Justice. The proposed rule contained provisions on Age discrimination that are not included in this final rule because they have not been approved by HHS. This rule will be amended to include those provisions when HHS approval is obtained. This final rule deviates to some extent from the proposed rule to accommodate the above. Changes to Subpart C, Discrimination Prohibited on the Basis of Handicap, were made in reliance on guidance and advice given by the Department of Justice pursuant to its responsibilities under Executive Order 12250 in order to reflect what judicial precedent requires. Rationale relative to reformatting, as well as the substantive comments received, follow:

Subpart A of this regulation sets forth the purpose of the regulation and general definitions. We have moved former paragraph (a) of § 7.20, Agency responsibilities, to Subpart E, Agency Compliance Procedures, as § 7.106, General policy. Since this paragraph summarized EPA's compliance policy, this was a logical move. Throughout the rule we changed "Assistance Approving Official" to "Award Official" to more accurately describe the function. One commenter considered the definition of "Facility" to be too broad. We have changed the definition to make it less broad, and have described limitations to it under our comments relating to Subpart D, Requirements for Applicants and Recipients.

One commenter recommended that the definition of Hispanic be expanded to include persons of Portuguese origin. We cannot accept this recommendation. The basic racial and ethnic categories for all federal data collection and reporting purposes are established by Directive 15 of the Office of Federal Statistical Policy and Standards, whose function is now in the Office of Information and Regulatory Affairs, Office of Management and Budget, 43 FR 19280. The Department of Justice's Title VI coordination regulation (28 CFR 42.401 to 42.415) also requires that these categories be used.

Subpart B describes the prohibitions against all forms of discrimination covered by this regulation except discrimination against handicapped persons. We made editorial changes for reasons of clarity.

Within Subpart C, Discrimination Prohibited on the Basis of Handicap, we have responded to several comments which described certain provisions of the proposed Subpart as confusing, particularly those dealing with accessibility.

Paragraph (a)(2) of § 7.85 codifies recent case law that defines the scope of a recipient's obligation to ensure program accessibility. This paragraph provides that in meeting the program accessibility requirement a recipient is not required to take any action that would result in a fundamental alteration in the nature of its program or activity or in undue financial and administrative burdens. This provision is based on the Supreme Court's holding in *Southeastern Community College v. Davis*, 442 U.S. 387 (1979), that section 504 does not require program modifications that result in a fundamental alteration in the nature of a program, and on circuit court applications of the Court's statement in *Davis* that section 504 does not require modification that would result in "undue financial and administrative burdens." 442 U.S. at 412; see, e.g., *Dopico v. Goldschmidt*, 687 F.2d 644 (2d Cir. 1982); *American Public Transit Association v. Lewis (APTA)*, 685 F.2d 1272 (D.C. Cir. 1981). In *APTA* the United States Court of Appeals for the District of Columbia applied the *Davis* language and invalidated the section 504 regulations of the Department of Transportation. The court in *APTA* noted "that at some point a transit system's refusal to take modest affirmative steps to accommodate handicapped persons might well violate section 504. But DOT's rules do not mandate only modest expenditures. The regulations require extensive modifications of existing systems and impose extremely heavy financial burdens on local transit authorities." 685 F.2d at 1278.

The inclusion of paragraph (a)(2) is an effort to conform the agency's implementation of section 504 to the Supreme Court interpretation of the statute in *Davis* as well as to the decisions of lower courts following the *Davis* opinion. This paragraph acknowledges, in light of recent case law, that in some situations, certain accommodations for a handicapped person may so alter recipients' programs or activities, or entail such extensive costs and administrative burdens, that

the refusal to undertake their accommodations is not discriminatory. The failure to include such a provision reflecting judicial interpretation of section 504 could lead to judicial invalidation of the regulation or reversal of particular enforcement actions taken under the regulation.

This paragraph, however, does not establish an absolute defense; it does not relieve a recipient of all obligations to handicapped persons. Although a recipient is not required to take actions that would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens, it nevertheless must take any other steps necessary to ensure that handicapped persons receive the benefits and services of the federally assisted program or activity.

New paragraph (e) of section 7.85 states that alterations to existing facilities need not be undertaken when they are structurally or financially not feasible.

Paragraph (b) of § 7.70, New construction, stipulates the effective date of applicable accessibility requirements on design of new construction.

New paragraph (d) of § 7.70, New construction, excludes certain types of areas of EPA projects from the accessibility requirement. We anticipate use of this exemption only in those instances where a facility or portion of a facility is not visited by the public or beneficiaries and where, because of the nature of the facility and the requirements of the jobs there, it is not likely that persons with particular handicaps could meet the physical requirements for those jobs, even with reasonable accommodation. In those instances, the areas in question would not have to be accessible to persons with those handicaps. For example, elevator access need not be provided in a sewage treatment plant for certain areas associated with the treatment process because of the potential hazards that exist and because full mobility may be necessary to perform some of the essential functions of the jobs in those areas. Providing accessibility for wheelchair users in these areas would impose an undue hardship on the operation of the recipient's activity. Recipients would be required to provide accessibility for persons with other handicaps, such as hearing impairments, who could perform jobs in treatment areas without creating safety or health hazards. However, separate administrative or laboratory areas in the same facility must be accessible to persons in wheelchairs.

EPA and recipients should not, of course, make blanket assumptions that handicapped persons cannot perform jobs in particular areas, but should consult with handicapped persons and their representative organizations in determining how facilities can be designed to provide employment opportunities. EPA and recipients should consult with the Equal Employment Opportunity Commission (EEOC) for guidance on the scope of this exemption as it relates to employment opportunities. The EEOC has responsibility for coordinating the federal effort to enforce the federal equal employment opportunity law (E.O. 12067, 43 CFR 20087). We have also followed the suggestions of several commenters to establish timeframes for compliance with accessibility requirements.

One commenter thought that the proposed rule did not sufficiently specify requirements to accommodate handicapped people. We have chosen to leave the specifics to the particular situation as it arises. Reasonable accommodation is required. To determine specifically what is necessary for any particular program is left to the judgment of the program management as guided by this regulation.

One of the major difficulties EPA has encountered in attempting to define "reasonable accommodation" is that each form of impairment of handicapped employees or persons seeking employment requires different methods of accommodation to achieve equality of opportunity with the nonimpaired. It would neither be practical to list every form of accommodation that would achieve this end, nor to dictate a uniform degree of accommodation based upon cost. Finally, certain programs, such as construction grants for wastewater treatment works, create employment opportunities which expose employees to high risks of injury. The ability to perform safely is an essential function of any hazardous job, and a recipient may consider dangers to employees as a factor in determining whether an accommodation is reasonable. In all cases where qualified handicapped persons are employed by or seek employment from EPA assisted recipients, recipients will be expected to extend such employment opportunities as may be available to persons within the limits of coverage of Subpart C, unless the recipient can demonstrate that such accommodation would impose an undue hardship on its operation. The standards of the Department of Justice in 28 CFR Part 42.311 which defines "reasonable accommodation," will be

used to determine whether accommodation should be made by the recipient. Several Federal circuit courts have ruled that employment is covered by section 504 only where a primary purpose of the assistance is to provide employment. *Scanlon v. Atascadero State Hospital*, 677 F.2d 127 (9th Cir. 1982); *United States v. Cabrini Medical Center*, 639 F.2d 906 (2d Cir. 1981); *Carmi v. Metropolitan St. Louis Sewer District*, 620 F.2d 672 (8th Cir. 1980), cert. denied, 449 U.S. 892 (1980); *Trageser v. Libbie Rehabilitation Center, Inc.*, 590 F.2d 67 (4th Cir. 1978), cert. denied, 442 U.S. 947 (1979). However, the Third and Eleventh Circuit Courts of Appeals have recently held that section 504 generally applies to employment. *Le Strange v. Consolidated Rail Corp.*, 687 F.2d 767 (3rd Cir. 1982) cert. granted, 51 U.S.L.W. 3598 (U.S. Feb. 22, 1983), (No. 82-662); *Jones v. Metropolitan Atlanta Rapid Transit Authority*, 681 F.2d 1376 (11th Cir. 1982), pet. for cert. filed, 51 U.S.L.W. 3335 (U.S. Jan. 11, 1983) (No. 82-1139).

Pending further clarification of the law, Subpart C will not be enforced with respect to employment where employment is not a primary purpose of the EPA assistance in States located in the Second, Fourth, Eighth, and Ninth Circuits (New York, Connecticut, Vermont, Maryland, North Carolina, South Carolina, Virginia, West Virginia, Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Alaska, Arizona, California, Idaho, Montana, Nevada, Oregon, Washington, Guam, and Hawaii).

Subpart D sets forth the procedures applicants and recipients must follow for EPA to determine whether they are in compliance with this regulation.

Section 7.80 describes the requirements for applicants. Paragraph (a) of this section provides that all applicants must submit an assurance that the assisted program or activity will not involve any discrimination prohibited by this Part. Paragraph (b) of this section clarifies that construction grant applicants must also submit a compliance report, EPA Form 4700-4. These are mandatory requirements for applicants and will, we expect, provide the basis on which EPA will make the majority of preaward compliance determinations. However, the Office of Civil Rights (OCR), if unable to make a determination based only on such submissions, may request additional information from the applicant or others in accordance with paragraph (a)(1) of § 7.80. Pursuant to the DOJ Coordination Regulation, Paragraph (c) has been added to require submission of compliance information from applicants.

The information required includes not only any pending lawsuits alleging discrimination by the applicant in the program or activity that would be the subject of the EPA assistance. It also solicits a description of applications for, or current assistance from, other federal agencies for the same program or activity that EPA would assist and a statement on any compliance reviews conducted for that program or activity during the two years before the EPA application.

Section 7.85 describes the compliance information that EPA recipients must collect, maintain, and, on request, submit to EPA. Several commenters requested clarification of the proposed requirements. One criticized the section for providing too little guidance and requested a "more clear, detailed description" of the information that should be collected. In response to this, we have reordered sections of Subpart D of the final rule to make it more descriptive and inclusive and have expanded some provisions for clarity. Paragraph (a) of this section provides that a recipient must collect and maintain four basic categories of information, namely: information concerning lawsuits pending against the recipient that allege discrimination; this Part prohibits; information concerning complaints of alleged discrimination filed with the recipient; data showing the racial/ethnic, national origin, sex, and handicap condition of beneficiaries of the recipient's program; and reports of compliance reviews conducted by other agencies. A recipient may also be required to collect and maintain such other information as the OCR determines to be necessary to assure compliance. Paragraph (d) of this section describes the factors that a recipient must take into account in developing such information. Paragraph (e) of this section requires a recipient to retain compliance information for a certain period and to make such information available to EPA and the public, upon request. While recipients are not required to submit routine compliance reports, they must have the information available to submit if requested by EPA.

Several commenters expressed concern over whether Part 7 applied to all the facilities and operations of an EPA applicant/recipient or only to those facilities and operations directly connected with or employed in furthering the project objectives. Part 7 applies only to those facilities, operations, and activities of a recipient that receive EPA assistance. If a recipient received assistance under an EPA statute, the purpose and scope of

which is to assist the entire operation of the recipient, then the entire range of the recipient's facilities, operations, and activities become subject to the civil rights statutes implemented by this regulation.

Several commenters were confused about our intent when we used the term "subrecipient" in the proposed rule in § 7.73 Compliance reports. It is our intent that the entity actually implementing the EPA assisted program comply with the requirements of this Part and be able to give assurance of such compliance with respect to such program. To clarify our intent we have eliminated the term "subrecipient."

In response to the comment which asked if proposed § 7.73 required a recipient to keep a log of "service" complaints (as well as employment complaints) when such complaints were maintained by another city agency, those requirements (now appearing under § 7.88) would be met if the recipient can provide the required data upon request to EPA or an interested party.

One commenter suggested that EPA's monitoring of compliance would be improved if we required recipients to identify any discriminatory policies or practices and indicate steps they would take to modify those practices. While we do not require such "self-evaluation" to be submitted to EPA, it is expected, as stated in paragraph (c) of § 7.88, that recipients will identify discrimination prohibited by this Part in any of their funded programs or activities.

Proposed § 7.90, now § 7.90, required each recipient to adopt a grievance procedure and designate a person to coordinate its compliance efforts. Two commenters asked for further explanation of "appropriate due process" for that proposed procedure. We concluded that this phrase may have implied too much. We intend that recipients establish a standard procedure for dealing with complaints that provides an opportunity for a timely and fair resolution. We have, therefore, revised paragraph (a) of § 7.90 to require a recipient to adopt a grievance procedure that assures the prompt and fair resolution of complaints.

Proposed § 7.70, now § 7.95, required each recipient to provide public notice of nondiscrimination to designated groups and individuals. Several commenters indicated that the proposed requirement that notice "must be" included in all major correspondence would be burdensome to recipients. One comment indicated that other suggested forms of notice were more appropriate than this apparently mandatory form:

another comment indicated that if all federal agencies had such a requirement "there would be little space left on correspondence for correspondence." We agree with these comments and have made this form of notice discretionary.

In § 7.85 of the proposed rule, a recipient was required to notify the OCR at the time a lawsuit alleging discrimination was filed. One commenter indicated that such a requirement would be burdensome to a recipient since it would presumably require the recipient to keep EPA apprised of the progress of the lawsuit. The same commenter noted that other federal agencies simply require such information be submitted annually or periodically as part of an application, and recommended that we eliminate this requirement. We modified paragraph (a) of § 7.85 accordingly and now require that a recipient maintain information on pending lawsuits and submit such information upon request.

Section 7.100 prohibits an applicant, recipient or other person from intimidating, threatening, coercing or discriminating against an individual or group in order to interfere with a right or privilege guaranteed by the nondiscrimination provisions of this Part, or because such individual has filed a complaint or participated in enforcement of this regulation. One commenter noted that this section needed "more teeth." Since a complaint of intimidation would be treated according to the complaint procedure in § 7.120, an applicant or recipient found in violation of § 7.100 could be subject to enforcement procedures. We think this is a sufficiently severe sanction.

Another commenter criticized the entire compliance section for "lack of coordination" with the guidelines issued by the Department of Labor and the Attorney General. We think this criticism is unfounded. We have developed our regulation in compliance with the Department of Justice guidelines on Title VI and Section 504, and after numerous discussions with the Department. The Department of Labor is responsible for the administration of Section 503 of the Rehabilitation Act of 1973, as amended, an affirmative action statute that applies to certain federal contractors. It must be noted that revised Part 7 does not apply to those that receive EPA funds through direct federal procurement arrangements.

Subpart E sets forth the procedures that EPA will follow in assuring that applicants and recipients are in compliance with the requirements of the Acts and this Part.

One commenter suggested that it would be more logical to reorder the sections in the proposed Subpart to have preaward compliance, postaward compliance, and complaint investigations precede the sections on sanctions and coordination with other agencies. We have accepted this suggestion and have restructured this Subpart. New § 7.110 describes EPA's preaward review of an applicant's submission(s). Paragraph (a) provides that the OCR will determine compliance based on "any other information EPA receives during this time or has on file about the applicant." One commenter asked what this latter provision included. Many EPA recipients, particularly those constructing wastewater treatment facilities, have received a series of awards and, therefore, EPA has a "file" that may contain information useful to the OCR. In addition, the application itself may include data that would be of interest to the OCR (e.g., other federal assistance an applicant is receiving).

One commenter suggested greater specificity as to when the OCR would conduct an on-site review. An on-site review of the covered program or activity shall take place only when OCR has reason to believe discrimination may be occurring. Of course, OCR may request data and information from applicants at the preaward stage.

Section 7.113 of this final rule (formerly § 7.120) describes EPA's postaward compliance process. One commenter noted that EPA will only conduct compliance reviews where compliance problems have been identified and suggested that EPA should also conduct reviews of recipients where there have been no complaints or investigations. Another commenter also recommended "random reviews" in addition to the proposed approach. It is our view that EPA's compliance resources will have the greatest impact when used to address identified problem areas. Accordingly, postaward on-site reviews of covered programs or activities shall take place only when OCR has reason to believe discrimination may be occurring. We note, however, that revised paragraph (a) of § 7.113 permits EPA to collect data and information as part of a compliance review of any recipient of EPA assistance on a random basis.

Section 7.120 provides the procedure for investigating and resolving complaints of discrimination. One commenter recommended that we establish a specific time limit (rather than merely "promptly") for resolving complaints. We have revised paragraph

(c) of this section to require the OCR to notify all parties within five (5) calendar days of the receipt of a complaint and to notify the applicant within twenty (20) additional days. According to paragraph (d)(1), whether EPA accepted, rejected or referred the complaint to another agency. Further, we have clarified the time limit for resolving complaints by applying the postaward compliance procedure set forth in § 7.113 to them. That section has been amended to include, where appropriate, references to complaint investigation. Under these provisions, a preliminary decision must be made within 180 calendar days from the time a complaint is received by the agency. Paragraph (f) of § 7.120 is reserved for the mediation process that applies only to complaints of age discrimination.

In the proposed regulation, § 7.130 described the procedure for annulling, suspending or terminating EPA assistance upon a finding of noncompliance. One commenter asked whether such procedures apply to denial of assistance as well. They do. We have revised this section to include the procedures for refusing to provide financial assistance. We have also rewritten this section to clarify the decision-making process and the rights of applicants and recipients. It should be noted that before EPA denies, annuls, suspends, or terminates assistance on the basis of noncompliance, the applicant or recipient has the statutory right to an evidentiary hearing.

Regulation Development Process

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore subject to the Regulatory Impact Analysis requirements of the Order. We have determined that this regulation is not "major" as it will not have a substantial impact on the economy. This rule was submitted to the Office of Management and Budget for review, as required by Executive Order 12291.

Office of Management and Budget Review

Under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq., the information provisions of this rule found in Sections 7.80 and 7.95 were approved by the Office of Management and Budget (OMB), control number 2000-0006, and are reflected in this rule.

Environmental Impact Statement

This regulation does not affect the environment. An Environmental Impact Statement is not required under the National Environmental Policy Act of 1969.

This regulation does not supersede 40 CFR Part 8 which implements Executive Order 11246.

List of Subjects in 40 CFR Part 7

Civil rights, Sex discrimination, Discrimination against handicapped.

In consideration of the foregoing, 40 CFR is amended by removing Part 12 and revising 40 CFR Part 7 to read as follows:

PART 7—NONDISCRIMINATION IN PROGRAMS RECEIVING FEDERAL ASSISTANCE FROM THE ENVIRONMENTAL PROTECTION AGENCY

Subpart A—General

- Sec.
- 7.10 Purpose of this part.
- 7.15 Applicability.
- 7.20 Responsible agency officers.
- 7.25 Definitions.

Subpart B—Discrimination Prohibited on the Basis of Race, Color, National Origin or Sex

- 7.30 General prohibition.
- 7.35 Specific prohibitions.
- 7.40 [Reserved]

Subpart C—Discrimination Prohibited on the Basis of Handicap

- 7.45 General Prohibition.
- 7.50 Specific prohibitions against discrimination.
- 7.55 Separate or different programs.
- 7.60 Prohibitions and requirements relating to employment.
- 7.65 Accessibility.
- 7.70 New construction.
- 7.75 Transition plan.

Subpart D—Requirements for Applicants and Recipients

- 7.80 Applicants.
- 7.85 Recipients.
- 7.90 Grievance procedures.
- 7.95 Notice of nondiscrimination.
- 7.100 Intimidation and retaliation prohibited.

Subpart E—Agency Compliance Procedures

- 7.105 General policy.
- 7.110 Preaward Compliance.
- 7.115 Postaward compliance.
- 7.120 Complaint investigations.
- 7.125 Coordination with other agencies.
- 7.130 Actions available to EPA to obtain compliance.
- 7.135 Procedure for regaining eligibility.

Appendix A—EPA Assistance Programs as Listed in the "Catalog of Federal Domestic Assistance"

Authority: The Civil rights Act of 1964, as amended, 42 U.S.C. 2000d et seq.; sec. 504, Rehabilitation Act of 1973, as amended, 29 U.S.C. 794; sec. 13, Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500.

Subpart A—General**§ 7.10 Purpose of this part.**

This Part implements: Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500, (collectively, the Acts).

§ 7.15 Applicability.

This Part applies to all applicants for, and recipients of, EPA assistance in the operation of programs or activities receiving such assistance beginning February 13, 1984. New construction (§ 7.70) for which design was initiated prior to February 13, 1984, shall comply with the accessibility requirements in the Department of Health, Education and Welfare (now the Department of Health and Human Services) nondiscrimination regulation, 45 CFR 84.23, issued June 3, 1977, or with equivalent standards that ensure the facility is readily accessible to and usable by handicapped persons. Such assistance includes but is not limited to that which is listed in the *Catalogue of Federal Domestic Assistance* under the 66.000 series. It supersedes the provisions of former 40 CFR Parts 7 and 12.

§ 7.20 Responsible agency officers.

(a) The EPA Office of Civil Rights (OCR) is responsible for developing and administering EPA's compliance programs under the Acts.

(b) EPA's Project Officers will, to the extent possible, be available to explain to each recipient its obligations under this Part and to provide recipients with technical assistance or guidance upon request.

§ 7.25 Definitions.

As used in this Part:

"Administrator" means the Administrator of EPA. It includes any other agency official authorized to act on his or her behalf, unless explicitly stated otherwise.

"Alcohol abuse" means any misuse of alcohol which demonstrably interferes with a person's health, interpersonal relations or working ability.

"Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance (see definition for "EPA assistance").

"Assistant Attorney General" is the head of the Civil Rights Division, U.S. Department of Justice.

"Award Official" means the EPA official with the authority to approve and execute assistance agreements and

to take any related actions authorized by other EPA regulations or delegation of authority.

"Drug abuse" means:

(a) The use of any drug or substance listed by the Department of Justice in 21 CFR 1308.11, under authority of the Controlled Substances Act, 21 USC 801, as a controlled substance unavailable for prescription because:

(1) The drug or substance has a high potential for abuse.

(2) The drug or other substance has no currently accepted medical use in treatment in the United States, or

(3) There is a lack of accepted safety for use of the drug or other substance under medical supervision.

Note.—Examples of drugs under paragraph (a)(1) of this section include certain opiates and opiate derivatives (e.g., heroin) and hallucinogenic substances (e.g., marijuana, mescaline, peyote) and depressants (e.g., methaqualone). Examples of (a)(2) include opium, coca leaves, methadone, amphetamines and barbiturates.

(b) The misuse of any drug or substance listed by the Department of Justice in 21 CFR 1308.12-15 under authority of the Controlled Substances Act as a controlled substance available for prescription.

"EPA" means the United States Environmental Protection Agency.

"EPA" assistance" means any grant or cooperative agreement, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which EPA provides or otherwise makes available assistance in the form of:

(1) Funds;

(2) Services of personnel; or

(3) Real or personal property or any interest in or use of such property, including:

(i) Transfers or leases of such property for less than fair market value or for reduced consideration; and

(ii) Proceeds from a subsequent transfer or lease of such property if EPA's share of its fair market value is not returned to EPA.

"Facility" means all, or any part of, or any interests in structures, equipment, roads, walks, parking lots, or other real or personal property.

"Handicapped person"

(a) "Handicapped person" means any person who (1) has a physical or mental impairment which substantially limits one or more major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. For purposes of employment, the term "handicapped person" does not include any person who is an alcoholic or drug abuser whose current use of alcohol or

drugs prevents such individual from performing the duties of the job in question or whose employment, by reason of such current drug or alcohol abuse, would constitute a direct threat to property or the safety of others.

(b) As used in this paragraph, the phrase:

(1) "Physical or mental impairment" means (i) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; and (ii) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(2) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) "Is regarded as having an impairment" means:

(i) Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined above but is treated by a recipient as having such an impairment.

"Office of Civil Rights" or OCR means the Director of the Office of Civil Rights, EPA Headquarters or his/her designated representative.

"Project Officer" means the EPA official designated in the assistance agreement (as defined in "EPA assistance") as EPA's program contact with the recipient. Project Officers are responsible for monitoring the project.

"Qualified handicapped person" means:

(a) With respect to employment: a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question.

(b) With respect to services: a handicapped person who meets the essential eligibility requirements for the receipt of such services.

"Racial classifications"

(a) American Indian or Alaskan native. A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

(b) Asian or Pacific Islander. A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

(c) Black and not of Hispanic origin. A person having origins in any of the black racial groups of Africa.

(d) Hispanic. A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

(e) White, not of Hispanic origin. A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

"Recipient" means, for the purposes of this regulation, any state or its political subdivision, any instrumentality of a state or its political subdivision, any public or private agency, institution, organization, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance.

"Section 13" refers to Section 13 of the Federal Water Pollution Control Act Amendments of 1972.

"United States" includes the states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and all other territories and possessions of the United States; the term "State" includes any one of the foregoing.

¹ Additional subcategories based on national origin or primary language spoken may be used where appropriate on either a national or a regional basis. Subparagraphs (a) through (e) are in conformity with Directive 15 of the Office of Federal Statistical Policy and Standards, whose function is now in the Office of Information and Regulatory Affairs, Office of Management and Budget. Should that office, or any successor office, change or otherwise amend the categories listed in Directive 15, the categories in this paragraph shall be interpreted to conform with any such changes or amendments.

Subpart B—Discrimination Prohibited on the Basis of Race, Color, National Origin or Sex

§ 7.30 General prohibition

No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving EPA assistance on the basis of race, color, national origin, or on the basis of sex in any program or activity receiving EPA assistance under the Federal Water Pollution Control Act, as amended, including the Environmental Financing Act of 1972.

§ 7.35 Specific prohibitions

(a) As to any program or activity receiving EPA assistance, a recipient shall not directly or through contractual, licensing, or other arrangements on the basis of race, color, national origin or, if applicable, sex:

(1) Deny a person any service, aid or other benefit of the program;

(2) Provide a person any service, aid or other benefit that is different, or is provided differently from that provided to others under the program;

(3) Restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, aid, or benefit provided by the program;

(4) Subject a person to segregation in any manner or separate treatment in any way related to receiving services or benefits under the program;

(5) Deny a person or any group of persons the opportunity to participate as members of any planning or advisory body which is an integral part of the program, such as a local sanitation board or sewer authority;

(6) Discriminate in employment on the basis of sex in any program subject to Section 13, or on the basis of race, color, or national origin in any program whose purpose is to create employment or, by means of employment discrimination, deny intended beneficiaries the benefits of the EPA assistance program, or subject the beneficiaries to prohibited discrimination.

(7) In administering a program or activity receiving Federal financial assistance in which the recipient has previously discriminated on the basis of race, color, sex, or national origin, the recipient shall take affirmative action to provide remedies to those who have been injured by the discrimination.

(b) A recipient shall not use criteria or methods of administering its program which have the effect of subjecting individuals to discrimination because of their race, color, national origin, or sex, or have the effect of defeating or substantially impairing accomplishment

of the objectives of the program with respect to individuals of a particular race, color, national origin, or sex.

(c) A recipient shall not choose a site or location of a facility that has the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination under any program to which this Part applies on the grounds of race, color, or national origin or sex or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of this subpart.

(d) The specific prohibitions of discrimination enumerated above do not limit the general prohibition of § 7.30.

§ 7.40 (Reserved)

Subpart C—Discrimination Prohibited on the Basis of Handicap

§ 7.45 General prohibition

No qualified handicapped person shall solely on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving EPA assistance.

§ 7.50 Specific prohibitions against discrimination

(a) A recipient, in providing any aid, benefit or service under any program or activity receiving EPA assistance shall not, on the basis of handicap, directly or through contractual, licensing, or other arrangement:

(1) Deny a qualified handicapped person any service, aid or other benefit of a federally assisted program;

(2) Provide different or separate aids, benefits, or services to handicapped persons or to any class of handicapped persons than is provided to others unless the action is necessary to provide qualified handicapped persons with aids, benefits, or services that are as effective as those provided to others;

(3) Aid or perpetuate discrimination against a qualified handicapped person by providing significant assistance to an entity that discriminates on the basis of handicap in providing aids, benefits, or services to beneficiaries of the recipient's program;

(4) Deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards; or

(5) Limit a qualified handicapped person in any other way in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit or service from the program.

(b) A recipient may not, in determining the site or location of a facility, make selections: (1) That have the effect of excluding handicapped persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity that receives or benefits from EPA assistance or (2) that have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the program or activity receiving EPA assistance with respect to handicapped persons.

(c) A recipient shall not use criteria or methods of administering any program or activity receiving EPA assistance which have the effect of subjecting individuals to discrimination because of their handicap, or have the effect of defeating or substantially impairing accomplishment of the objectives of such program or activity with respect to handicapped persons.

(d) Recipients shall take appropriate steps to ensure that communications with their applicants, employees, and beneficiaries are available to persons with impaired vision and hearing.

(e) The exclusion of non-handicapped persons or specified classes of handicapped persons from programs limited by federal statute or Executive Order to handicapped persons or a different class of handicapped persons is not prohibited by this subpart.

§ 7.55 Separate or different programs.

Recipients shall not deny a qualified handicapped person an opportunity equal to that afforded others to participate in or benefit from the aid, benefit, or service in the program receiving EPA assistance. Recipients shall administer programs in the most integrated setting appropriate to the needs of qualified handicapped persons.

§ 7.60 Prohibitions and requirements relating to employment.

(a) No qualified handicapped person shall, on the basis of handicap, be subjected to discrimination in employment under any program or activity that receives or benefits from federal assistance.

(b) A recipient shall make all decisions concerning employment under any program or activity to which this Part applies in a manner which ensures that discrimination on the basis of handicap does not occur, and shall not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of handicap.

(c) The prohibition against discrimination in employment applies to the following activities:

(1) Recruitment, advertising, and the processing of applications for employment;

(2) Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;

(3) Rates of pay or any other form of compensation and changes in compensation;

(4) Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;

(5) Leaves of absence, sick leave, or any other leave;

(6) Fringe benefits available by virtue of employment, whether or not administered by the recipient;

(7) Selection and financial support for training, including apprenticeship, professional meetings, conferences, and other related activities, and selection for leaves of absence to pursue training;

(8) Employer sponsored activities, including social or recreational programs; or

(9) Any other term, condition, or privilege of employment.

(d) A recipient shall not participate in a contractual or other relationship that has the effect of subjecting qualified handicapped applicants or employees to discrimination prohibited by this subpart. The relationships referred to in this paragraph include relationships with employment and referral agencies, with labor unions, with organizations providing or administering fringe benefits to employees of the recipient, and with organizations providing training and apprenticeship programs.

(e) A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program.

(f) A recipient shall not use employment tests or criteria that discriminate against handicapped persons and shall ensure that employment tests are adapted for use by persons who have handicaps that impair sensory, manual, or speaking skills.

(g) A recipient shall not conduct a preemployment medical examination or make a preemployment inquiry as to whether an applicant is a handicapped person or as to the nature or severity of a handicap except as permitted by the Department of Justice in 28 CFR 42.513.

§ 7.65 Accessibility.

(a) *General.* A recipient shall operate each program or activity receiving EPA assistance so that such program or activity, when viewed in its entirety, is readily accessible to and usable by handicapped persons. This paragraph does not:

(1) Necessarily require a recipient to make each of its existing facilities or every part of an existing facility accessible to and usable by handicapped persons.

(2) Require a recipient to take any action that the recipient can demonstrate would result in a fundamental alteration in the nature of its program or activity or in undue financial and administrative burdens. If an action would result in such an alteration or such financial and administrative burdens, the recipient shall be required to take any other action that would not result in such an alteration or financial and administrative burdens but would nevertheless ensure that handicapped persons receive the benefits and services of the program or activity receiving EPA assistance.

(b) Methods of making existing programs accessible. A recipient may comply with the accessibility requirements of this section by making structural changes, redesigning equipment, reassigning services to accessible buildings, assigning aides to beneficiaries, or any other means that make its program or activity accessible to handicapped persons. In choosing among alternatives, a recipient must give priority to methods that offer program benefits to handicapped persons in the most integrated setting appropriate.

(c) *Deadlines.* (1) Except where structural changes in facilities are necessary, recipients must adhere to the provisions of this section within 60 days after the effective date of this Part.

(2) Recipients having an existing facility which does require alterations in order to make a program or activity accessible must prepare a transition plan in accordance with § 7.73 within six months from the effective date of this Part. The recipient must complete the changes as soon as possible, but not later than three years from date of award.

(d) *Notice of accessibility.* The recipient must make sure that interested persons, including those with impaired vision or hearing, can find out about the existence and location of the assisted program services, activities, and facilities that are accessible to and usable by handicapped persons.

(e) **Structural feasibility.** This section requires structural alterations to facilities if making such alterations would not be structurally or financially feasible. An alteration is not structurally feasible when it has little likelihood of being accomplished without removing or altering a load-bearing structural member. Financial feasibility shall take into account the degree to which the alteration work is to be assisted by EPA assistance, the cost limitations of the program under which such assistance is provided, and the relative cost of accomplishing such alterations in manners consistent and inconsistent with accessibility.

§ 7.70 New construction.

(a) **General.** New facilities shall be designed and constructed to be readily accessible to and usable by handicapped persons. Alterations to existing facilities shall, to the maximum extent feasible, be designed and constructed to be readily accessible to and usable by handicapped persons.

(b) Any construction for which design is initiated on or after the effective date of this Part shall comply with the accessibility requirements of this section. Any construction for which design was initiated prior to the effective date of this Part shall comply with accessibility requirements in the Department of Health, Education and Welfare (now the Department of Health and Human Services) nondiscrimination regulation, 45 CFR 84.23, issued June 3, 1977, or with equivalent standards that ensure the facility is readily accessible to and usable by handicapped persons.

(c) Design, construction or alteration of facilities in conformance with the 1980 "American National Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped," published by the American National Standards Institute, Inc., constitutes compliance with this section.²

(d) **Exception.** This section shall not apply to the design, construction or alteration of any portion of a building that, because of its intended use, will not require accessibility to the public beneficiaries or result in the employment or residence therein of physically handicapped persons.

§ 7.75 Transition plan.

If structural changes to facilities are necessary to make the program

accessible to handicapped persons, a recipient must prepare a transition plan.

(a) **Requirements.** The transition plan must set forth the steps needed to complete the structural changes required and must be developed with the assistance of interested persons, including handicapped persons or organizations representing handicapped persons. At a minimum, the transition plan must:

(1) Identify the physical obstacles in the recipient's facilities that limit handicapped persons' access to its program or activity.

(2) Describe in detail what the recipient will do to make the facilities accessible.

(3) Specify the schedule for the steps needed to achieve full program accessibility, and include a year-by-year timetable if the process will take more than one year.

(4) Indicate the person responsible for carrying out the plan.

(b) **Availability.** Recipients shall make available a copy of the transition plan to the OCR upon request and to the public for inspection at either the site of the project or at the recipient's main office.

Subpart D—Requirements for Applicants and Recipients

§ 7.80 Applicants.

(a) **Assurances.**—(1) **General.** Applicants for EPA assistance shall submit an assurance with their applications stating that, with respect to their programs or activities that receive EPA assistance, they will comply with the requirements of this Part. Applicants must also submit any other information that the OCR determines is necessary for preaward review. The applicant's acceptance of EPA assistance is an acceptance of the obligation of this assurance and this Part.

(2) **Duration of assurance.**—(i) **Real property.** When EPA awards assistance in the form of real property, or assistance to acquire real property, or structures on the property, the assurance will obligate the recipient, or transferee, during the period the real property or structures are used for the purpose for which EPA assistance is extended, or for another purpose in which similar services or benefits are provided. The transfer instrument shall contain a covenant running with the land which assures nondiscrimination. Where applicable, the covenant shall also retain a right of reverter which will permit EPA to recover the property if the covenant is ever broken.

(ii) **Personal property.** When EPA provides assistance in the form of personal property, the assurance will

obligate the recipient for so long as it continues to own or possess the property.

(iii) **Other forms of assistance.** In all other cases, the assurance will obligate the recipient for as long as EPA assistance is extended.

(b) **Wastewater treatment project.** EPA Form 4700-4 shall also be submitted with applications for assistance under Title II of the Federal Water Pollution Control Act.

(c) **Compliance information.** Each applicant for EPA assistance shall submit regarding the program or activity that would receive EPA assistance:

(1) Notice of any lawsuit pending against the applicant alleging discrimination on the basis of race, color, sex, handicap, or national origin;

(2) A brief description of any applications pending to other federal agencies for assistance, and of federal assistance being provided at the time of the application; and

(3) A statement describing any civil rights compliance reviews regarding the applicant conducted during the two-year period before the application, and information concerning the agency or organization performing the reviews.

(Approved by the Office of Management and Budget under Control Number 2000-0008.)

§ 7.85 Recipients.

(a) **Compliance information.** Each recipient shall collect, maintain, and on request of the OCR, provide the following information to show compliance with this Part:

(1) A brief description of any lawsuits pending against the recipient that allege discrimination which this Part prohibits;

(2) Racial/ethnic, national origin, sex, and handicap data, or EPA Form 4700-4 information submitted with its application;

(3) A log of discrimination complaints which identifies the complaint, the date it was filed, the date the recipient's investigation was completed, the disposition, and the date of disposition; and

(4) Reports of any compliance reviews conducted by any other agencies.

(b) **Additional compliance information.** If necessary, the OCR may require recipients to submit data and information specific to certain programs to determine compliance where there is reason to believe that discrimination may exist in a program or activity receiving EPA assistance or to investigate a complaint alleging discrimination in a program or activity receiving EPA assistance. Requests shall be limited to data and information which is relevant to determining

²The American National Standards Institute, Inc., is located at 1430 Broadway, New York, N.Y. 10018. A copy of the document may be purchased from this Institute for \$3.00 plus \$2.00 shipping cost.

compliance and shall be accompanied by a written statement summarizing the complaint or setting forth the basis for the belief that discrimination may exist.

(c) *Self-evaluation.* Each recipient must conduct a self-evaluation of its administrative policies and practices, to consider whether such policies and practices may involve handicap discrimination prohibited by this Part. When conducting the self-evaluation, the recipient shall consult with interested and involved persons including handicapped persons or organizations representing handicapped persons. The evaluation shall be completed within 18 months after the effective date of this Part.

(d) *Preparing compliance information.* In preparing compliance information, a recipient must:

(1) [Reserved]

(2) Use the racial classifications set forth in § 7.25 in determining categories of race, color or national origin.

(e) *Maintaining compliance information.* Recipients must keep records for (a) and (b) of this section for three (3) years after completing the project. When any complaint or other action for alleged failure to comply with this Part is brought before the three-year period ends, the recipient shall keep records until the complaint is resolved.

(f) *Accessibility to compliance information.* A recipient shall:

(1) Give the OCR access during normal business hours to its books, records, accounts and other sources of information, including its facilities, as may be pertinent to ascertain compliance with this Part.

(2) Make compliance information available to the public upon request; and

(3) Assist in obtaining other required information that is in the possession of other agencies, institutions, or persons not under the recipient's control. If such party refuses to release that information, the recipient shall inform the OCR and explain its efforts to obtain the information.

(g) *Coordination of compliance effort.* If the recipient employs fifteen (15) or more employees, it shall designate at least one person to coordinate its efforts to comply with its obligations under this Part.

(Approved by the Office of Management and Budget under Control Number 2000-0006.)

§ 7.90 Grievance procedures.

(a) *Requirements.* Each recipient shall adopt grievance procedures that assure the prompt and fair resolution of complaints which allege violation of this Part.

(b) *Exception.* Recipients with fewer than fifteen (15) full-time employees

need not comply with this section if the OCR finds a violation of this Part determines that creating a grievance procedure will not significantly impair the recipient's ability to provide benefits or services.

§ 7.95 Notice of nondiscrimination.

(a) *Requirements.* A recipient shall provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, or handicap in a program or activity receiving EPA assistance or, in programs covered by Section 13, on the basis of sex. Methods of notice must accommodate those with impaired vision or hearing. At a minimum, this notice must be posted in a prominent place in the recipient's offices or facilities. Methods of notice may also include publishing in newspapers and magazines, and placing notices in recipient's internal publications or on recipient's printed letterhead. Where appropriate, such notice must be in a language or languages other than English. The notice must identify the responsible employee designated in accordance with § 7.95.

(b) *Deadline.* Recipients of assistance must provide initial notice by thirty (30) calendar days after award and continuing notice for the duration of EPA assistance.

§ 7.100 Intimidation and retaliation prohibited.

No applicant, recipient, nor other person shall intimidate, threaten, coerce, or discriminate against any individual or group, either:

(a) For the purpose of interfering with any right or privilege guaranteed by the Acts or this Part; or

(b) Because the individual has filed a complaint or has testified, assisted or participated in any way in an investigation, proceeding or hearing under this Part, or has opposed any practice made unlawful by this regulation.

Subpart E—Agency Compliance Procedures

§ 7.105 General policy.

EPA's Administrator, Director of the Office of Civil Rights, Project Officers and other responsible officials shall seek the cooperation of applicants and recipients in securing compliance with this Part, and are available to provide help.

§ 7.110 Preaward compliance.

(a) *Review of compliance information.* Within EPA's application processing period, the OCR will determine whether the applicant is in compliance with this

and inform the Award Official. This determination will be based on the information required by § 7.80 and any information EPA receives during the award process (including complaints) or has on file about the applicant. When the OCR cannot make a determination on the basis of this information, additional information will be requested from the applicant, local government officials, or interested persons or organizations, including handicapped persons or organizations representing such persons. The OCR may also conduct an on-site review only when it has reason to believe discrimination may be occurring in a program or activity which is the subject of the application.

(b) *Voluntary compliance.* If the review indicates noncompliance, an applicant may agree in writing to take the steps the OCR recommends to come into compliance with this Part. The OCR must approve the written agreement before any award is made.

(c) *Refusal to comply.* If the applicant refuses to enter into such an agreement, the OCR shall follow the procedure established by paragraph (b) of § 7.130.

§ 7.115 Postaward compliance.

(a) *Periodic review.* The OCR may periodically conduct compliance reviews of any recipient's programs or activities receiving EPA assistance, including the request of data and information, and may conduct on-site reviews when it has reason to believe that discrimination may be occurring in such programs or activities.

(b) *Notice of review.* After selecting a recipient for review or initiating a complaint investigation in accordance with § 7.120, the OCR will inform the recipient of:

(1) The nature of and schedule for review, or investigation; and

(2) Its opportunity, before the determination in paragraph (d) of this section is made, to make a written submission responding to, rebutting, or denying the allegations raised in the review or complaint.

(c) *Postreview action.* (1) Within 180 calendar days from the start of the compliance review or complaint investigation, the OCR will notify the recipient in writing by certified mail, return receipt requested, of:

(i) Preliminary findings;

(ii) Recommendations, if any, for achieving voluntary compliance; and

(iii) Recipient's right to engage in voluntary compliance negotiations where appropriate.

(2) The OCR will notify the Award Official and the Assistant Attorney

General for Civil Rights of the preliminary findings of noncompliance.

(d) *Formal determination of noncompliance.* After receiving the notice of the preliminary finding of noncompliance in paragraph (c) of this section, the recipient may:

(1) Agree to the OCR's recommendations, or

(2) Submit a written response sufficient to demonstrate that the preliminary findings are incorrect, or that compliance may be achieved through steps other than those recommended by OCR.

If the recipient does not take one of these actions within fifty (50) calendar days after receiving this preliminary notice, the OCR shall, within fourteen (14) calendar days, send a formal written determination of noncompliance to the recipient and copies to the Award Official and Assistant Attorney General.

(e) *Voluntary compliance time limits.* The recipient will have ten (10) calendar days from receipt of the formal determination of noncompliance in which to come into voluntary compliance. If the recipient fails to meet this deadline, the OCR must start proceedings under paragraph (b) of § 7.130.

(f) *Form of voluntary compliance agreements.* All agreements to come into voluntary compliance must:

(1) Be in writing;

(2) Set forth the specific steps the recipient has agreed to take, and

(3) Be signed by the Director, OCR or his/her designee and an official with authority to legally bind the recipient.

§ 7.120 Complaint investigations.

The OCR shall promptly investigate all complaints filed under this section unless the complainant and the party complained against agree to a delay pending settlement negotiations.

(a) *Who may file a complaint.* A person who believes that he or she or a specific class of persons has been discriminated against in violation of this Part may file a complaint. The complaint may be filed by an authorized representative. A complaint alleging employment discrimination must identify at least one individual aggrieved by such discrimination. Complaints solely alleging employment discrimination against an individual on the basis of race, color, national origin, sex or religion shall be processed under the procedures for complaints of employment discrimination filed against recipients of federal assistance (see 28 CFR Part 42, Subpart H and 29 CFR Part 1691). Complainants are encouraged but not required to make use of any grievance procedure established under

§ 7.90 before filing a complaint. Filing a complaint through a grievance procedure does not extend the 180 day calendar requirement of paragraph (b)(2) of this section.

(b) Where, when and how to file complaint. The complainant may file a complaint at any EPA office. The complaint may be referred to the region in which the alleged discriminatory acts occurred.

(1) The complaint must be in writing and it must describe the alleged discriminatory acts which violate this part.

(2) The complaint must be filed within 180 calendar days of the alleged discriminatory acts, unless the OCR waives the time limit for good cause. The filing of a grievance with the recipient does not satisfy the requirement that complaints must be filed within 180 days of the alleged discriminatory acts.

(c) *Notification.* The OCR will notify the complainant and the recipient of the agency's receipt of the complaint within five (5) calendar days.

(d) *Complaint processing procedures.* After acknowledging receipt of a complaint, the OCR will immediately initiate complaint processing procedures.

(1) *Preliminary investigation (i)* Within twenty (20) calendar days of acknowledgment of the complaint, the OCR will review the complaint for acceptance, rejection, or referral to the appropriate Federal agency.

(ii) If the complaint is accepted, the OCR will notify the complainant and the Award Official. The OCR will also notify the applicant or recipient complained against of the allegations and give the applicant or recipient opportunity to make a written submission responding to, rebutting, or denying the allegations raised in the complaint.

(iii) The party complained against may send the OCR a response to the notice of complaint within thirty (30) calendar days of receiving it.

(2) *Informal resolution.* (i) OCR shall attempt to resolve complaints informally whenever possible. When a complaint cannot be resolved informally, OCR shall follow the procedures established by paragraphs (c), through (e) of § 7.118.

(ii) (Reserved).

(e) *Confidentiality.* EPA agrees to keep the complainant's identity confidential except to the extent necessary to carry out the purposes of this Part, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Ordinarily in complaints of employment discrimination, the name of the

complainant will be given to the recipient with the notice of complaint.

(f) (Reserved).

(g) *Dismissal of complaint.* If OCR's investigation reveals no violation of this Part, the Director, OCR, will dismiss the complaint and notify the complainant and recipient.

§ 7.125 Coordination with other agencies.

If, in the conduct of a compliance review or an investigation, it becomes evident that another agency has jurisdiction over the subject matter, OCR will cooperate with that agency during the continuation of the review of investigation. EPA will:

(a) Coordinate its efforts with the other agency, and

(b) Ensure that one of the agencies is designated the lead agency for this purpose. When an agency other than EPA serves as the lead agency, any action taken, requirement imposed, or determination made by the lead agency, other than a final determination to terminate funds, shall have the same effect as though such action had been taken by EPA.

§ 7.130 Actions available to EPA to obtain compliance.

(a) *General.* If compliance with this Part cannot be assured by informal means, EPA may terminate or refuse to award or to continue assistance. EPA may also use any other means authorized by law to get compliance, including a referral of the matter to the Department of Justice.

(b) *Procedure to deny, annul, suspend or terminate EPA assistance.*

(1) *OCR finding.* If OCR determines that an applicant or recipient is not in compliance with this Part, and if compliance cannot be achieved voluntarily, OCR shall make a finding of noncompliance. The OCR will notify the applicant or recipient (by registered mail, return receipt requested) of the finding, the action proposed to be taken, and the opportunity for an evidentiary hearing.

(2) *Hearing.* (i) Within 30 days of receipt of the above notice, the applicant or recipient shall file a written answer, under oath or affirmation, and may request a hearing;

(ii) The answer and request for a hearing shall be sent by registered mail, return receipt requested, to the Chief Administrative Law Judge (ALJ) (A-110), United States Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. Upon receipt of a request for a hearing, the ALJ will send the applicant or recipient a copy of the ALJ's procedures. If the recipient

does not request a hearing, it shall be deemed to have waived its right to a hearing, and the OCR finding shall be deemed to be the ALJ's determination.

(3) *Final decision and disposition.* (i) The applicant or recipient may, within 30 days of receipt of the ALJ's determination, file with the Administrator its exceptions to that determination. When such exceptions are filed, the Administrator may, within 45 days after the ALJ's determination, serve to the applicant or recipient, a notice that he/she will review the determination. In the absence of either exceptions or notice of review, the ALJ's determination shall constitute the Administrator's final decision.

(ii) If the Administrator reviews the ALJ's determination, all parties shall be given reasonable opportunity to file written statements. A copy of the Administrator's decision will be sent to the applicant or recipient.

(iii) If the Administrator's decision is to deny an application, or annul, suspend or terminate EPA assistance, that decision becomes effective thirty (30) days from the date on which the Administrator submits a full written report of the circumstances and grounds for such action to the Committee of the House and Senate having legislative jurisdiction over the program or activity involved. The decision of the Administrator shall not be subject to further administrative appeal under EPA's General Regulation for Assistance Programs (40 CFR Part 30, Subpart I).

(4) *Scope of decision.* The denial, annulment, termination or suspension shall be limited to the particular applicant or recipient who was found to have discriminated, and shall be limited in its effect to the particular program or the part of it in which the discrimination was found.

§ 7.135 Procedure for regaining eligibility.

(a) *Requirements.* An applicant or recipient whose assistance has been denied, annulled, terminated, or suspended under this Part regains eligibility as soon as it:

- (1) Provides reasonable assurance that it is complying and will comply with this Part in the future, and
- (2) Satisfies the terms and conditions for regaining eligibility that are specified in the denial, annulment, termination or suspension order.

(b) *Procedure.* The applicant or recipient must submit a written request to restore eligibility to the OCR declaring that it has met the requirements set forth in paragraph (a) of this section. Upon determining that these requirements have been met, the OCR must notify the Award Official,

and the applicant or recipient that eligibility has been restored.

(c) Rights on denial of restoration of eligibility. If the OCR denies a request to restore eligibility, the applicant or recipient may file a written request for a hearing before the EPA Chief Administrative Law Judge in accordance with paragraph (c) § 7.130, listing the reasons it believes the OCR was in error.

Appendix A—EPA Assistance Programs as Listed in the "Catalog of Federal Domestic Assistance"

1. Assistance provided by the Office of Air Noise and Radiation under the Clean Air Act of 1977, as amended: Pub. L. 95-60, 42 U.S.C. 7401 et seq. (ANR 66.001)

2. Assistance provided by the Office of Air Noise and Radiation under the Clean Air Act of 1977, as amended: Pub. L. 95-60, 42 U.S.C. 7401 et seq. (ANR 66.003)

3. Assistance provided by the Office of Water under the Clean Water Act of 1977, as amended: Sections 101(e), 108(b), 201-68, 207, 208(d), 210-12, 215-18, 304(d)(3), 312, 301, 302, 311 and 318(b); Pub. L. 97-117; Pub. L. 96-217; Pub. L. 96-493; 33 U.S.C. 1251 et seq. (OW 66.418)

4. Assistance provided by the Office of Water under the Clean Water Act of 1977, as amended: § 108; Pub. L. 96-217; 33 U.S.C. 1251 et seq. (OW 66.419)

5. Assistance provided by the Office of Water under the Clean Water Act of 1977, as amended: Pub. L. 96-217; 33 U.S.C. 1251 et seq. (OW 66.425)

6. Assistance provided by the Office of Water under the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93-323; as amended by Pub. L. 96-193; Pub. L. 96-63; and Pub. L. 93-592. (OW 66.426)

7. Assistance provided by the Office of Water under the Safe Drinking Water Act, Pub. L. 93-323, as amended by Pub. L. 96-63, Pub. L. 96-193, and Pub. L. 96-592. (OW 66.433)

8. Assistance provided by the Office of Water under the Clean Water Act of 1977, Section 208(g), as amended by Pub. L. 96-217 and the Federal Water Pollution Control Act, as amended: Pub. L. 97-117; 33 U.S.C. 1251 et seq. (OW 66.436)

9. Assistance provided by the Office of Water under the Resource Conservation & Recovery Act of 1976 as amended by the Solid Waste Disposal Act Pub. L. 94-580; § 3011, 43 U.S.C. 6801, 6847, 6848-49. (OW 66.803)

10. Assistance provided by the Office of Research and Development under the Clean Air Act of 1977, as amended: Pub. L. 95-60; 42 U.S.C. et seq.; Clean Water Act of 1977, as amended: Pub. L. 96-217; 33 U.S.C. 1251 et seq., § 8001 of the Solid Waste Disposal Act, as amended by the Resource Conservation & Recovery Act of 1976: Pub. L. 94-580; 42 U.S.C. 6801, Public Health Service Act as amended by the Safe Drinking Water Act as amended by Pub. L. 96-193; Federal Insecticide, Fungicide & Rodenticide Act: Pub. L. 96-516; 7 U.S.C. 136 et seq., as amended by Pub. L.'s 94-140 and 95-358;

Toxic Substances Control Act 15 U.S.C. 2601; Pub. L. 94-469; 15 U.S.C. 2601

11. Assistance provided by the Office of Research and Development under the Clean Air Act of 1977, as amended: Pub. L. 95-60; 42 U.S.C. 7401 et seq. (ORD 66.501)

12. Assistance provided by the Office of Research and Development under the Federal Insecticide, Fungicide & Rodenticide Act, Pub. L. 95-516, 7 U.S.C. 136 et seq., as amended by Pub. L.'s 94-140 and 95-358. (ORD 66.502)

13. Assistance provided by the Office of Research and Development under the Solid Waste Disposal Act, as amended by the Resource Conservation & Recovery Act of 1976; 42 U.S.C. 6801, Pub. L. 94-580, § 8001. (ORD 66.504)

14. Assistance provided by the Office of Research and Development under the Clean Water Act of 1977, as amended: Pub. L. 96-217; 33 U.S.C. 1251 et seq. (ORD 66.506)

15. Assistance provided by the Office of Research and Development under the Public Health Service Act as amended by the Safe Drinking Water Act, as amended by Pub. L. 96-193 (ORD 66.509)

16. Assistance provided by the Office of Research and Development under the Toxic Substances Control Act: Pub. L. 94-469; 15 U.S.C. 2601; § 10. (ORD 66.507)

17. Assistance provided by the Office of Administration, including but not limited to: Clean Air Act of 1977, as amended, Pub. L. 95-60; 42 U.S.C. 7401 et seq., Clean Water Act of 1977, as amended: Pub. L. 96-217; 33 U.S.C. 1251 et seq.; Solid Waste Disposal Act, as amended by the Resource Conservation & Recovery Act of 1976; 42 U.S.C. 6801; Pub. L. 94-580; Federal Insecticide, Fungicide & Rodenticide Act: Pub. L. 95-516; 7 U.S.C. 136 et seq., as amended by Pub. L.'s 94-140 and 95-358; Public Health Service Act, as amended by the Safe Drinking Water Act, as amended by Pub. L. 96-193. (OA 66.800)

18. Assistance provided by the Office of Administration under the Clean Water Act of 1977, as amended: Pub. L. 96-217; Section 212; 33 U.S.C. 1251 et seq. (OA 66.807)

19. Assistance provided by the Office of Enforcement Counsel under the Federal Insecticide & Fungicide Act, as amended: Pub. L. 96-516; 7 U.S.C. 136 et seq., as amended by Pub. L. 94-140, Section 29(a) and Pub. L. 95-358. (OA 66.808)

20. Assistance provided by the Office of Solid Waste and Emergency Response under the Comprehensive Environmental Response, Compensation and Liability Act of 1980: Pub. L. 96-510, § 3072, 42 U.S.C. 9601, et seq. (OSW—number not to be assigned since Office of Management and Budget does not catalog one-year programs.)

21. Assistance provided by the Office of Water under the Clean Water Act as amended: Pub. L. 96-117, 33 U.S.C. 1712. (OW—66.434)

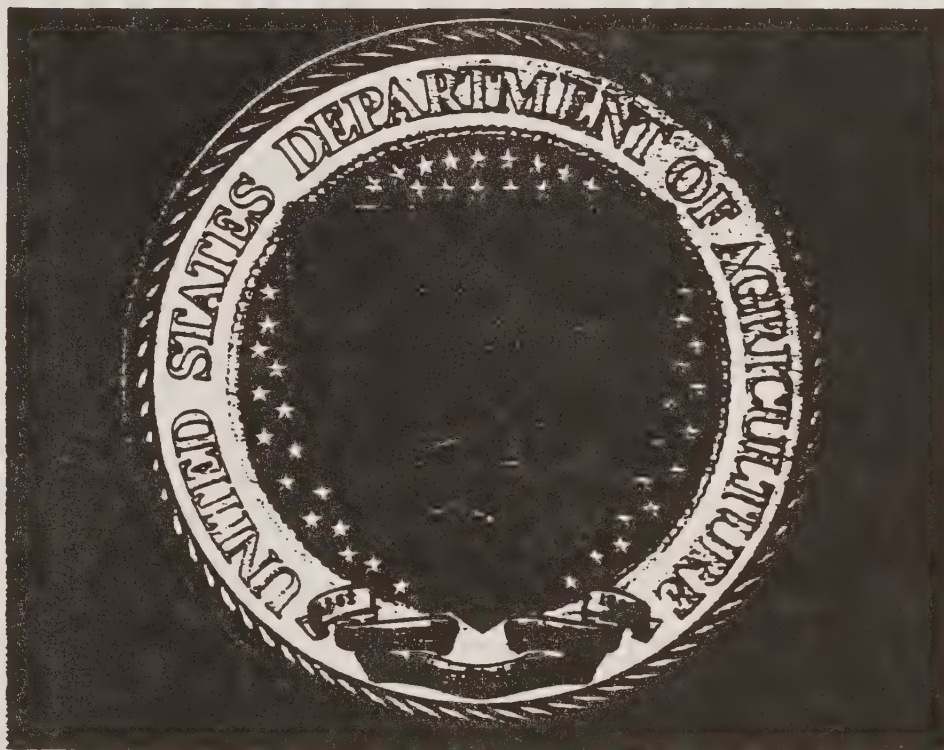
Dated: October 27, 1983.

William D. Ruckelshaus,
Administrator, Environmental Protection
Agency.

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*United States
Department of Agriculture*

**Environmental Justice
IMPLEMENTATION STRATEGY**



*Office of the Secretary
March 24, 1995*

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INTRODUCTION

Purpose

Executive Order 12898 (February 11, 1994) requires each Federal agency to develop an agency-wide strategy for addressing environmental injustices. The goal of the USDA Environmental Justice Strategy is to make a positive difference in the lives of people. To this end, USDA is committed to integrating the best education, research and technical practices across USDA agencies into programs that meet the needs of its customers in minority and low-income communities. USDA is committed to continuing to work cooperatively with Federal, State and local Government and with the private sector to improve the underlying conditions which put people at risk, and assisting children, youth and families across the nation in striving for a better life.

Background

The U.S. Department of Agriculture was established by Congress in 1862 "to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture . . . and to procure, propagate, and distribute among the people new and valuable seeds and plants." USDA touches the lives of 260 million Americans each day as well as billions of people around the world. Some of USDA's daily activities include:

- (1) Helping American farmers and ranchers;
- (2) Improving the quality of life in rural America, including access to water, electricity and telephone service;
- (3) Managing national forests;
- (4) Protecting soil and water;
- (5) Preventing spread or introduction of foreign plant and animal diseases;
- (6) Increasing agricultural exports;
- (7) Facilitating the marketing of American agricultural products;
- (8) Feeding hungry people, and ensuring that nutritious meals are provided for 25 million school children each day;
- (9) Conducting research and education to improve agricultural practices and nutrition and health of consumers; and
- (10) Improving food safety.

USDA programs and activities are administered in seven key areas:

- ◆ Natural Resources and Environment;
- ◆ Farm and Foreign Agricultural Services;
- ◆ Rural Economic and Community Development;
- ◆ Food, Nutrition and Consumer Services;
- ◆ Food Safety;
- ◆ Research, Education and Economics; and

◆ **Marketing and Regulatory Programs.**

What Environmental Justice Means to USDA

U.S. agriculture is the most productive in the world. U.S. consumers have access to a great variety of safe, nutritious food at affordable prices. The production of food and fiber affects the natural environment through practices such as cultivation of soil, the application of water for irrigation, the use of fertilizer and pesticides, and the rearing of livestock.

USDA has contributed greatly to the success of American agriculture. While continuing to build upon these successes, USDA must also ensure that its programs do not cause disproportionate negative direct and indirect impacts on the lives of low-income and minority people. At USDA, environmental justice has a variety of potential implications for the way it conducts its business, including:

- ◆ The education of producers about the use of pesticides and fertilizer in crop production and their potential effect on human health and the environment.
- ◆ The location and management of federal research facilities, grain storage sites, inventory lands, hazardous waste sites, and underground storage tanks.
- ◆ The administration of technical assistance and loan and grant programs to socially disadvantaged customers.
- ◆ The provision of food programs and nutrition education for pregnant women, children, and families in low-income communities.
- ◆ The carrying out of nutrition research on the needs and food intake of diverse ethnic populations.
- ◆ The delivery of extension education programs in Spanish and other languages, and
- ◆ The collection of statistics and demographics of minority farmers and minority-owned farming operations, including American Indian farmers and ranchers.

USDA's Implementation Strategy

USDA's implementation strategy reflects the work of a task force composed of representatives of USDA agencies, including the Office of Civil Rights Enforcement (OCRE). It also reflects USDA's strong commitment to identify and address disproportionately high and adverse human health or environmental effects of its programs,

policies, and activities on minority and low-income populations, as required by President Clinton's Executive Order 12898. This strategy is a dynamic process which will evolve as USDA identifies programs within USDA's mission areas that have environmental justice implications and as it solicits further input from the public and its constituencies.

The Under and Assistant Secretaries of each mission area are implementing the Department of Agriculture Reorganization Act of 1994. As a result, reorganization of the Department of Agriculture and development of an environmental justice strategy has converged. This has provided opportunities for designing complementary planning, budgeting, and administrative systems that are consistent with and supportive of overall government reinvention and reform initiatives.

The USDA strategy is designed so that environmental justice principles and initiatives are incorporated into Departmental programs, policies, planning, public participation processes, enforcement, and rulemaking. USDA will pursue these principles as they relate to health, research, training, data collection, analysis, interagency coordination, the development of model projects, and in broader public participation through public comment, planning, outreach, communication, partnerships, sharing of information, education, and training.

Taking maximum advantage of these opportunities, USDA's proposed strategy recognizes the diversity of Departmental programs, constituents, and stakeholders at all organizational levels. The strategy is designed to be effective, cost-efficient, and flexible. It will also evolve in coordination with the new USDA organizational structure.

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Secretary of Agriculture

Date: APR 11 1995

UNITED STATES DEPARTMENT OF AGRICULTURE ENVIRONMENTAL JUSTICE STRATEGY

USDA's Environmental Justice Strategy is focused on incorporating environmental justice objectives and principles into existing programs, policies, and systems. This approach will ensure that these principles and objectives will be a part of the day-to-day activities of USDA operations. By integrating environmental justice into Departmental programs rather than creating new and costly programs and systems, USDA will effectively and efficiently meet the principles and objectives of environmental justice.

The following are the specific steps that USDA will take to implement its Environmental Justice Strategy. USDA anticipates that this strategy will evolve and include additional steps as it is implemented.

1. Issue a Departmental Regulation Establishing USDA's Environmental Justice Strategy.

A Departmental Regulation will be issued by the Secretary which will state the importance of environmental justice and explain USDA's objectives and principles in implementing its strategy. The regulation will direct Departmental agencies and offices to incorporate the Department's strategy into existing programs, policies and systems. Some of the actions that USDA's agencies and offices will be required to consider are expanded upon in Step 2 of USDA's Environmental Justice Strategy.

2. Incorporate Environmental Justice Principles and Objectives Into All Relevant USDA Programs, Policies and Systems.

The USDA operates a wide variety of programs related to environmental justice, as the examples in Appendix A illustrate. Under the Department's Environmental Justice Strategy, the principles and objectives of environmental justice, as contained in Executive Order 12898, will be incorporated into these and other relevant programs, policies and systems. In addition to the steps described below and the programs discussed in Appendix A, the Department anticipates that, as the strategy is implemented, other Departmental activities will be identified that should also incorporate the environmental justice principles and objectives.

To accomplish this step in the Department's strategy, the following actions will be taken where appropriate and necessary:

- A) Identify Departmental programs, policies, and systems that should incorporate environmental justice principles and objectives;**

B) Revise applicable Departmental and agency regulations to incorporate environmental justice principles and objectives;

C) Revise applicable Departmental and agency program management plans to incorporate environmental justice principles and objectives;

D) Assign official responsibilities and accountability for achieving environmental justice goals by revising, where necessary: (1) delegations of authorities, (2) organizational charts, mission statements, and formal functional statements and (3) official position descriptions and performance standards, for affected employees and agencies; and

E) Identify resources necessary to develop and implement the strategy in Departmental programs, policies, and systems.

3. Ensure Effective Implementation of USDA's Environmental Justice Strategy.

To ensure the effective incorporation of environmental justice principles and objectives into Departmental programs, policies, and systems, the following actions will be taken where appropriate and necessary:

A) Develop an inventory or database consisting of community, professional, and technical resources to assist agencies in developing effective environmental justice activities, including establishing a bibliographic index at the National Agricultural Library;

B) Identify interagency responsibilities for areas with environmental justice implications and work cooperatively within the Department as well as with other Federal department's and agencies, and state, tribal, and local units of government.

C) Seek assistance, services and products from 1890 Land-Grant colleges and universities as well as other educational institutions to support USDA environmental justice activities;

D) Develop formal management methodologies and establish performance measures consistent with the Government Performance and Results Act (GPRA) for environmental justice activities; and

E) Incorporate environmental justice principles and objectives into periodic reviews, assessments and evaluations of program activities.

APPENDIX A

PROGRAM INITIATIVES WITHIN USDA RELATED TO ENVIRONMENTAL JUSTICE

The following are examples of current USDA programs, policies, planning, public participation, enforcement, and rulemaking activities related to environmental justice within USDA, according to the four categories as identified in Executive Order 12898.

1. Promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations.

USDA complies with Title VI of the Civil Rights Act of 1964 to ensure that all programs or activities receiving Federal financial assistance from USDA do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin. In addition, USDA regulations prohibit discrimination on the basis of race, color, religion, sex, disabilities, age or national origin in programs and activities which USDA agencies make benefits available directly to the public. The Department conducts the following activities:

National program reviews to identify and eliminate discrimination in program delivery.

- ◆ Data collection on program participation rates of socially disadvantaged producers.
- ◆ Assessments of changes to food assistance programs to determine if barriers prevent diverse groups from participation.
- ◆ Agreements entered into by USDA agencies include standard clauses designed to prevent discrimination.
- ◆ Facility pollution prevention plans first evaluate collection, maintenance, and analysis of information of the race, national origin, income level, and other information for areas surrounding Federal facilities where the facilities are expected to have a substantial environmental, human health, or economic effects on surrounding populations.
- ◆ Compliance with the National Environmental Policy Act (NEPA) ensures consideration and analysis of the effects of natural resource decisions on the human environment. USDA policy and procedures for NEPA compliance require that effects on population sectors be considered.
- ◆ Members of peer panels convened for reviewing and ranking competitive research grant proposals are selected based upon their training and experience in relevant scientific fields and the need to maintain a balanced membership (e.g., assure that the views of minorities and women are represented).

USDA's enforcement of human health and environmental laws include memoranda of understanding and intergovernmental agreements with Indian tribes, educational institutions, State agencies, and Federal agencies such as Environmental Protection Agency (EPA), Department of Labor (DOL), Department of Defense (DOD), Department of Energy (DOE), Health and Human Services (HHS), and Food and Drug

Administration (FDA). Examples include:

- ◆ Memorandum of Agreement (MOA) with the U.S. Army Corps of Engineers and the Tennessee Valley Authority to establish a source of technical assistance for environmental cleanup on property held in USDA inventory.
- ◆ Interagency agreement with the Bureau of the Census to conduct a nationally representative survey of the U.S. population as a supplement to the Current Population Survey. The survey will measure, for all income groups, the extent of hunger and food insecurity in the United States. USDA will use the information to improve the design of nutrition assistance programs for low-income Americans.
- ◆ Cooperative agreement with the University of New Mexico to conduct a "Limited Resource Farmer and National Resource Inventory Special Study". Data will be used to more accurately define "limited resource farmer" and to investigate reasons for their lack of participation in USDA programs.
- ◆ Interagency agreement with HHS to create a rural health information clearing house, designed to collect and disseminate information on rural health issues, research findings related to rural health, and innovative approaches to the delivery of rural health care services, financing, and the health status of rural Americans and American Indians.
- ◆ Cooperative agreement with an 1890 institution to evaluate the effectiveness of intervention methods to improve the quality and well-being of the rural elderly in the South.
- ◆ Memorandum of Understanding (MOU) with DOE to study options for the environmental cleanup and rehabilitation of former commodity (grain) storage sites, which became Contaminated through repeated applications of pesticides and other chemical treatments.
- ◆ Cooperative agreements with state agencies -- including health departments -- to participate in pest eradication efforts, which involve evaluation and communication of health risks due to pesticide application.
- ◆ Cooperative agreements with individual U.S. tribal organizations, tribal enterprises, and the established inter-tribal organizations to conduct export promotion activities for tribal agricultural products, which include range fed beef, buffalo meat, and seafood products from the reservations.
- ◆ MOU with six American Indian tribes for work on Indian lands and cooperative agreements with 26 towns and cities for providing technical assistance on animal damage control.
- ◆ Providing funds to the National Coalition to Restore Urban Waterways to train members of the Minority Environmental Association in six cities.
- ◆ Supporting a project with the Minority Environmental Association in Cleveland to test water quality in minority and poor communities.
- ◆ Provide support to a minority and rural housing area in North Carolina for installation of a clean water supply.

2. Ensure greater public participation

USDA has a long tradition of conducting effective outreach and education efforts focusing on minority populations at national, regional, state and local levels, including cooperative efforts with:

- 1890 Colleges, Land Grant Universities, and other historically Black colleges and universities (HBCUs),
- the Hispanic Association of Colleges and Universities,
- Intertribal National University and other Tribal Nations,
- support for Employee Resource Groups (African American, Hispanic, Asian Pacific), and
- constituent groups and USDA county and advisory committees.

USDA uses a variety of processes and mechanisms to receive public input:

- ◆ Conservation Review Groups (including USDA, other government, and stakeholder representatives) at the local, county, state, and national levels review conservation policies.
- ◆ Public comments are solicited through the rulemaking process in national hearings, and suggestions are considered in the design and implementation of new or revised program and rulemaking activities.
- ◆ As required by the Government Performance and Results Act of 1993, USDA collects information from the public, producers, and other program participants through customer service surveys and interviews. This information is used to measure customer satisfaction with USDA programs and implementation and to revise or re-engineer existing policies, rules, regulations, procedures, and business processes on an as needed basis.
- ◆ USDA agencies have specific programs and procedures in place to comply with the requirements under National Environmental Policy Act (NEPA) for public participation in agency decisionmaking. The NEPA process alerts the public of the likely environmental (including health and safety) effects of proposed agency programs before they are approved and implemented. The NEPA environmental impact statements and environmental assessments are made available to the public in a variety of ways -- local newspaper announcement, published in foreign languages, and Telecommunication Device for the Deaf (TDD).
- ◆ USDA has a tradition of direct, frequent communication in forums and with established, formal committees of stakeholders.
- ◆ Development of ecosystem management policies affecting national forests involves grassroots participation by communities and industries. Because ecosystems cross boundaries, USDA's Forest Service cooperates with other landowners on a voluntary basis and is working with rural communities to develop local natural resource-based economies that support sustainable ecosystems.
- ◆ Advisory boards provide input into USDA's research planning and program development, including issues related to environmental justice. In FY 1994, USDA had sixty-eight federal advisory committees. Thirty-eight committees are required by statute and twenty-one are authorized by statute. A wide variety of stakeholders participate in advisory committees providing an ongoing source of

public input on USDA programs.

- ◆ The Cooperative State Research, Extension, and Education Service (CSREES) receives public input through program committees at the state and local levels and from other agencies at the state and national level.
- ◆ USDA's integrated pest management (IPM) strategies provide for state and local involvement in priority setting for research, education, and regulatory controls.

USDA also places heavy emphasis on outreach activities to help ensure public participation in planning and rulemaking processes as well as program delivery:

- ◆ The Women, Infants, and Children (WIC) Program provides services to over 100,000 American Indian women, infants and preschool children through States and thirty-three American Indian Tribal Organizations which provide WIC services within their tribal areas. In April 1992, approximately 60 percent of all American Indian infants in the U.S. participated in the WIC Program.
- ◆ USDA participates in government-wide programs to increase the participation of small and disadvantaged businesses (including minority and women-owned firms) in contracting and procurement programs.
- ◆ USDA uses PASS (Procurement Automated Source System), a computerized directory of over 196,000 small businesses, and other sources to identify potential minority and women-owned firms for participation in USDA loan programs.
- ◆ USDA administers an Outreach and Assistance Program for Socially Disadvantaged Farmers and Ranchers by establishing goals for program participation rates on a State-by-State and county-by-county basis.
- ◆ USDA's Agricultural Conservation Program provides for cost sharing (up to 50 percent of the average cost of performing practices) for low-income farmers and ranchers who want to improve their conservation practices.
- ◆ Local program officials meet regularly with public and private officials on issues such as community development, housing, and farm activities in rural areas and how to target USDA programs to targeted populations.
- ◆ Through the Extension Service:
 - Indian Reservation Agents programs are located at 28 tribal reservations, which work with youth and adults in home economics, human nutrition, resource development, and agriculture.
 - The Expanded Food and Nutrition Education Program delivers information through educational programs for low-income citizens to improve their diet and nutrition.
 - The 1890 Land Grant Institutions, the Hispanic American Colleges and Universities, and many others in the Land Grant System have programs that target small and low-income farm producers to provide them with the expertise to become sustainable enterprises.
 - Worker protection programs in Spanish and other languages have been developed to train migrant and resident farm workers.
 - Special efforts have been made to reach non-English speaking minorities through publications and multi-media programs in several languages in the areas in which they are needed.
- ◆ USDA technology transfer programs give special emphasis to disadvantaged groups. Approximately 55 percent of USDA patent licenses and 53 percent of

- currently active Cooperative Research and Development Agreements are with small, minority-owned, female-owned, or rural area businesses.
- ◆ The 1890 Capacity Building Grants Program strengthens the 1890 Land Grant institutions in agricultural research and related activities. USDA is initiating a parallel program to strengthen universities that traditionally support Hispanic communities and plans to launch a third parallel program to support Tribal colleges.
 - ◆ USDA established a National Center for Diversity located at Kentucky State University, which provides training and education that will enhance diversity and pluralism within the Cooperative Extension System. The Center maintains a resource database, conducts surveys and provides training and consulting to the Extension Service stakeholders throughout the country.
 - ◆ USDA operates consolidated county suboffices at the Tribal headquarters in each county having a reservation within its borders.
 - ◆ USDA responds to research needs of industrial and field workers, such as byssinosis avoidance through cotton dust control, grain dust reduction, and safe pesticide application technology.
 - ◆ USDA conducts research to describe the degradation of pesticides and other chemicals, thereby contributing to safe handling procedures. Since many farm workers who handle pesticides are minorities, well-designed safe handling procedures better ensure worker safety.
 - ◆ USDA has established Centers of Excellence at 1890 Institutions to provide a USDA presence on campus and enhance the ability of the institution to deliver programs. A National Scholars Program provides scholarships and employment opportunities for college students at the 1890 Land Grant Institutions. The Summer Intern Program provides employment opportunities for high school juniors and seniors to increase minority participation in agriculture, forestry, home economics, and related fields.
 - ◆ National Agricultural Statistics Service, in collaboration with USDA Forest Service, has also provided funding for an annual "Dream Warrior" Math and Science Camp sponsored by the Indian Resource Development Program to teach American Indian high school students the importance of math and science in many different careers, including those dealing with agriculture.

Detailed examples include:

USDA sponsored four regional hunger forums during 1994 where program participants, farmers, state case workers and advocates described the benefits and frustrations of the Food Stamp Program and other programs. USDA held a series of national minority round tables to examine nutrition issues affecting minority populations and to discuss the implementation of Women, Infants, and Children (WIC) program.

Consistent with the National Environmental Policy Act, USDA Animal and Plant Health Inspection Service (APHIS) considers the affected public in its Mediterranean fruit fly (Medfly) Cooperative Eradication Program. The program has included the use of chemical controls in suburban, urban, or rural areas. APHIS establishes telephone

hotlines, staffed with English and non-English speaking personnel (depending upon the demographics) to handle inquiries about the program. Residents and businesses are notified of control activities through a multi-lingual communications effort including door-to-door contact, local newspapers, and radio announcements. Fields are also posted to notify farm workers. Chemically sensitive individuals are given special consideration. Some States maintain registries of chemically sensitive individuals, and through these registries, APHIS can provide notice to registrants who could be affected by its activities.

Three USDA agencies -- the Cooperative State Research, Education, and Extension Service, Forest Service, and Natural Resources Conservation Service are working together in the Urban Resources Partnership. These agencies are collaborating with other federal agencies and state and local governments, and public and private organizations to provide grants and technical assistance to minority and low-income urban communities. The program's goal is to accomplish urban ecosystem conservation through locally driven initiatives with grass roots support. To date, \$6 million has been allocated to 8 cities to assist urban residents.

The 1995 Urban Earth Day will be co-sponsored by Natural Resources Conservation Services and the Minority Environmental Association. Urban Earth Day is the first Earth Day festival organized to highlight and education about the environmental issues affecting people of color and the poor.

3. Improve research and data collection relating to the health of and environment of minority populations and low-income populations

A large proportion of USDA resources are devoted to research on production agriculture, economics, and nutrition. USDA has accomplished significant research related to environmental justice, as the following examples illustrate. USDA research underway or partially completed includes:

- ◆ Natural Resources Conservation Services has a cooperative agreement with Tuskegee University to conduct a study and provide guidelines and recommendations for implementation of the environmental justice policy.
- ◆ A study of minority and women producers in Southern states (to be completed in FY 1995) that will review -- (1) their participation rates in Agency programs; (2) their average base acreage and yields; and (3) their rates of election to the County Committees. The results will be compared to the rates for other producers to determine any disparities and to target potential corrective actions.
- ◆ Various studies on telecommunications and its impact on rural America.
- ◆ A scientific evaluation of Women, Infants, and Children nutrition risk criteria by the National Academy of Sciences, Institute of Medicine, Food and Nutrition Board. The final report is due in September 1995.
- ◆ USDA initiatives under the President's Plan for the Pacific Northwest include studies on the effects of the plan on population sectors that include minorities, low-income, and American Indians. Those studies include: the East-Side Study,

Pac-Fish, Columbia River Basin Assessment.

- ◆ The Economic Research Service (ERS) programs include data collection and analysis on chemical use in agriculture and safety measures farm operators should provide workers who are engaged in chemical application activities.
- ◆ USDA's ERS studies the differences in exposure to chemical toxins between metro and nonmetro areas, and the link of toxins to employment opportunities in metro versus nonmetro areas.
- ◆ Scientific research is being conducted on body growth and nutrition of white, Hispanic and African American babies. Agricultural Research Service has pioneered in the research area of body fat distribution among various ethnic populations. Information on the nutrient/gene relationships in diverse populations will enable USDA to better form nutrient recommendations for individuals and groups.
- ◆ The USDA Agricultural Research Service (ARS) in partnership with five research universities in Mississippi, Louisiana, and Arkansas began the Lower Mississippi Delta Nutrition Intervention Research Initiative to apply state-of-the-art nutrition research tools to solve nutrition problems within the Delta and to contribute to the future health and well-being of the citizens of the region.
- ◆ USDA county offices maintain a confidential automated file containing information on the race, sex, and ethnicity of participation rates for Title VI compliance purposes and for other reporting requirements, including the biennial report to Congress required by Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 USC 2279).
- ◆ Property Environmental Tracking System (PETS) is a database system used to track the agencies' properties where hazardous waste investigation have been conducted or underground storage tanks have been found. Other information includes the disposition of the property.
- ◆ USDA Rural Utilities Service (RUS) collects racial/ethnic data on its recipients annually. The data show the racial make-up of the borrowers' service area by providing information on both the "served" and "unserved" residences. Information is used to identify compliance review sites.
- ◆ The USDA National Agricultural Statistics Service (NASS) and the USDA Agriculture Marketing Service develops and maintains an agricultural chemical use database used in the Pesticides Data Program. The database provides statistically reliable state-level information on pesticides and fertilizers used on most food crops and field crops in the major producing states. This information is shared and available to the public.
- ◆ The USDA Economic Research Service (ERS) has many data sets on the environment; pesticide use in agriculture; land, water, and conservation; rural population and demography; and rural economics as well as the modeling and geographic information system tools needed to use these data sets to address environmental issues in agriculture and rural America.
- ◆ CSREES in partnership with Florida A & M University is completing a database of minority and women scientists to facilitate cultural diversity of scientific activities, such as peer review panels, program review teams and advisory committees.

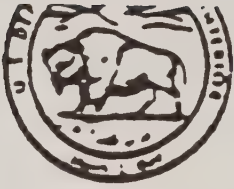
- ◆ School Nutrition Dietary Assessment Study, 1993
- ◆ Evaluation of the Food Distribution Program on Indian Reservations, Final Report, 1990
- ◆ National WIC Evaluation, 1986
- ◆ Food Stamp Program Participant Characteristic Studies
- ◆ WIC Participant and Program Characteristics Studies: 1984, 1988, 1990, 1992
- ◆ Review of WIC Nutritional Risk Criteria, 1991
- ◆ Estimates of Persons Income Eligible for WIC in 1989: National and State Tables; County Tables
- ◆ Socially Disadvantaged Farmers and the Natural Resource Conservation Service, 1994
- ◆ Socially Disadvantaged Clientele of the Soil Conservation Service: A Market Research Report, 1994
- ◆ Identification of the Limited Resource Farmers Through the Utilization of the National Resource Inventory Data and Incentives for the Limited Resource Farmers to Adopt NRCS Programs, April 1994
- ◆ Rural Entrepreneurship and Small Business Development, QB93-38, 1993
- ◆ Rural Industrialization, QB94-30, 1994
- ◆ Rural Youth Employment, RICPS 30, 1993
- ◆ Health Care in Rural America, QB94-08, 1994
- ◆ Native American Health Care, QB93-40, 1993
- ◆ Rural America's Elderly, QB93-36, 1993
- ◆ Hazardous and Toxic Waste Management, QB93-59, 1993
- ◆ Information Access in Rural America, QB94-39, 1994
- ◆ Native American Natural Resource Management, QB-39, 1993
- ◆ Population Migration in Rural America, QB93-35, 1993
- ◆ Poverty in Rural America, QB94-01
- ◆ Retirement Communities, RICPS 23, 1993
- ◆ Alternatives to Waste Disposal, RICPS 14, 1992
- ◆ Crime in Rural America, QB94-09, 1994
- ◆ Rural Education QB92-15, 1992

4. Identify differential patterns of consumption of natural resources among minority populations and low-income populations.

- ◆ CSRES collects, maintains and analyzes information on the consumption pattern of populations who principally rely on fish and wildlife for subsistence. This information is communicated to the public regarding health risks of consumption patterns, e.g., University of Alaska educational programs for native Alaskans. The State Cooperative Extension Service publishes guidelines reflecting the latest scientific information available concerning methods of evaluating human risks, if any, associated with the consumption of pollutant-bearing fish or wildlife. Fact sheets and bulletins are disseminated through the Extension service delivery system to appropriate target populations.
- ◆ USDA's NASS and the Intertribal Agricultural Council established a formal agreement and funding to conduct a pilot agricultural statistics survey in the

summer of 1994 for all tribes and reservations in the State of Montana. The major data needs are number, size, and type of farm; crop area estimates; cattle, sheep, and horse inventories. In summary, this study identifies management solutions to the deficiencies in the agricultural statistics profile of American Indian. Substantial new management, attention, action, and resource allocation to improve the agricultural statistics profile for American Indian farms and ranches has begun.

- ◆ USDA is committed to establish and promote environmental justice goals relevant to minority and low-income populations affected by all agency programs. County committee approvals of individual applications for program participation have the most potential for disproportionate adverse effects on minority and low-income populations. Over 40,000 of these decisions are made on an annual basis by the more than 2,800 Consolidated Farm Services Agency county offices and committees. USDA recently established procedures to assure minority representation on the county committee in any county in which the percentage of minority producers is five percent or more. In such counties (or communities), when a representative of a minority group has not been officially appointed to the committee, the committee is required to appoint a "minority advisor" to represent the views of the minority population in the county or community.
- ◆ A USDA Forest Service National Resource Book on American Indian and Alaska Native relations working draft, which will be released in April, 1995, will provide guidance for the Agency in working with American Indian Tribes regarding their special governmental status, culture, treaty or other statutory interests and rights and is expected to expand development of cooperative relationships so that Tribes have an opportunity to be included in the USDA Forest Service cooperative and resource forestry programs.
- ◆ USDA's Limited Resource Farmers' Initiative encourages socially disadvantaged individuals to enter and continue farming. In 1994, approximately \$3 million was allocated to the 1890 institutions to provide training to small farmers to do a better job of management and to understand what USDA services are available and how to take advantage of these services.
- ◆ USDA is conducting small farmer town hall meetings to address marketing, customer service, risk management strategies, and technical and financial assistance.
- ◆ USDA is currently working to establish an Incubator Farm Initiative which would allow for the training of young aspiring farmers and would review policy documents for the purpose of identifying language that present barriers to program participation by small farmers.



THE SECRETARY OF THE INTERIOR
WASHINGTON

AUG 17 1994

MEMORANDUM

To: Solicitor
All Assistant Secretaries
Inspector General
Heads of All Bureaus and Offices

From: The Secretary *Barth B. Bullitt*

Subject: Environmental Justice Policy

The Department of the Interior will be an active leader in seeking successful strategies to bring about environmental justice. As President Clinton has noted, at times the costs and risks of environmental decisions fall disproportionately on minorities and low income groups and communities. Too often these risks fall upon the children of these communities. I have commenced a series of actions to support Executive Order 12898 of February 11, 1994, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." We are working closely with the Environmental Protection Agency to meet the milestones of the Executive Order for establishing a strategy.

I want you to ensure that Department of the Interior decisions consider the impacts of our actions and inactions on minority and low income populations and communities, as well as the equity of the distribution of benefits and risks of those decisions. This consideration should be specifically included in National Environmental Policy Act (NEPA) documentation on our decisionmaking. I also want the Department to provide leadership in ways that assure meaningful participation by minority and low income populations in our wide range of activities where health and safety are involved. This interaction with diverse peoples has always been a portion of our mission whether in the Pacific Islands or the Northern Great Plains. Our emphasis on participation includes both a respect for diverse views and an ethics-based approach to stewardship.

The public health and safety concepts underlying environmental justice challenge and enlarge the nature of stewardship undertaken by Interior. This concept focuses both upon our responsibility to the community and to our employees. Environmental justice activism now creates new questions on the ability to solve health/resource related conflicts, on the weight and methods of community participation, the relationship with groups that have little or no history with traditional land or resource managers, and the effectiveness of current decision

development or negotiation processes. Many of our current organizations and efforts to involve the public in our processes may serve as national models for action. I ask each of you to use your creativity and talents at problem solving to identify and then address those diverse issues in our daily work.

I have appointed Anne Shields, Deputy Solicitor, and Faith Roessel, Deputy Assistant Secretary for Indian Affairs, to co-chair the Department's environmental justice activities. Please give them your support and assistance when they ask for your help.

DEPARTMENT OF INTERIOR
ENVIRONMENTAL JUSTICE
FOUR GOALS

GOAL 1:

THE GOVERNMENT WILL INVOLVE MINORITY AND LOW-INCOME COMMUNITIES AS WE MAKE ENVIRONMENTAL DECISIONS AND ASSURE PUBLIC ACCESS TO OUR ENVIRONMENTAL INFORMATION.

GOAL 2:

THE GOVERNMENT WILL PROVIDE ITS EMPLOYEES ENVIRONMENTAL JUSTICE GUIDANCE AND WITH THE HELP OF MINORITY AND LOW-INCOME COMMUNITIES DEVELOP TRAINING WHICH WILL REDUCED THEIR EXPOSURE TO ENVIRONMENTAL HEALTH AND SAFETY HAZARDS.

GOAL 3:

THE DEPARTMENT WILL USE AND EXPAND ITS SCIENCE, RESEARCH, AND DATA COLLECTION CAPABILITIES ON INNOVATIVE SOLUTIONS TO ENVIRONMENTAL JUSTICE-RELATED ISSUES (FOR EXAMPLE, ASSISTING IN THE IDENTIFICATION OF DIFFERENT CONSUMPTION PATTERN OF POPULATIONS WHO RELY PRINCIPALLY ON FISH AND/OR WILDLIFE FOR SUBSISTENCE).

GOAL 4:

THE DEPARTMENT WILL USE OUR PUBLIC PARTNERSHIP OPPORTUNITIES WITH ENVIRONMENTAL AND GRASSROOT GROUPS, BUSINESS, ACADEMIC, LABOR ORGANIZATIONS, AND FEDERAL, TRIBAL, AND LOCAL GOVERNMENTS TO ADVANCE ENVIRONMENTAL JUSTICE.

DEPARTMENT OF THE INTERIOR STRATEGIC PLAN
ENVIRONMENTAL JUSTICE

WHAT WE WANT TO DO

The Department of the Interior (DOI) will be an active leader in addressing the issue of environmental justice in DOI's programs and operations. To do that we must assure that the costs and risks of our environmental decisions do not fall disproportionately on minority and low income populations and communities. Information on environmental actions and involvement in our planning and decisionmaking processes by these affected publics are keys to that result. We will build both on old partnerships and seek to create new relationships to solve environmental problems. The Department will work with the Tribal governments to resolve their environmental issues. Finally, our expertise in science and resource management will be shared with others seeking resolution of environmental health and safety problems.

HOW WE GOT HERE

President Clinton asked the Department of the Interior to prepare a strategic plan on environmental justice. This was part of the February 1994 Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations). The Executive Order also established an Interagency Working Group (IWG) of Federal agencies to work on environmental justice concerns. In IWG task groups and with direct meetings with grassroots, industry, State, local and Tribal representatives we have been learning the community concerns about environmental justice. The American Indian Listening Conference attended by the Secretary also provided examples of environmental justice actions to the Department. In August 1994 Secretary Bruce Babbitt issued an environmental justice policy statement directing Department action. The Secretary named policy officials Anne Shields and Faith Roessel, assisted by Bob Faithful and Marsha Harley, to coordinate and develop Departmental efforts. An October survey on environmental justice, distributed to Departmental bureaus and organizations, provided background and ideas to assist in developing the Departmental strategic plan. In November an outline for an environmental justice strategy was developed and circulated to the public, National Environmental Justice Advisory Council (NEJAC), and the Department of Interior (DOI) bureaus for comment. During this idea-gathering process individual Bureaus and offices identified representatives to coordinate environmental justice issues. These representatives have contributed valuable ideas and examples for this plan.

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OUR GOALS

The Department of the Interior goals concern both resources and people. Our responsibilities concern people living in the Caribbean and Pacific Islands to the northernmost shores of Alaska. We have a special relationship to American Indians and Alaska Natives which touches this entire plan. All of the Department's goals will be the subject of consultation and further development with Tribal governments in the next several months. Departmental action to carry out the goals will be in a manner consistent with both Presidential policy and Secretarial Order 3175 on "Government to Government relationships".

We have listed below our goals for environmental justice within the Department:

Goal 1. The Department will involve minority and low-income communities as we make environmental decisions and assure public access to our environmental information.

Goal 2. The Department will provide its employees environmental justice guidance and with the help of minority and low-income communities develop training which will reduce their exposure to environmental health and safety hazards.

Goal 3. The Department will use and expand its science, research, and data collection capabilities on innovative solutions to environmental justice-related issues (for example, assisting in the identification of different consumption patterns of populations who rely principally on fish and/or wildlife for subsistence).

Goal 4. The Department will use our public partnership opportunities with environmental and grassroots groups, business, academic, labor organizations, and Federal, Tribal, and local governments to advance environmental justice.

In preparing these goals and plans we recognize the need to offer field managers guidance and flexibility on low cost effective means of working with their communities. We have provided in the next section examples of activities that are underway and strategies we still can accomplish. Local offices are urged to continue working with their communities to further refine and build additional steps. As one of the organization contributors pointed out, we need clear and specific actions with measurable results that also recognize budget realities.

WHAT WE ARE DOING/WHAT WE CAN DO

Goal 1. The Department will involve minority and low-income communities as we make environmental decisions and assure public access to our environmental information.

What we are doing:

BUREAU OF LAND MANAGEMENT (BLM): The BLM has established a National Native American Program Office, located in New Mexico, to coordinate policy and guidance for all BLM programs. BLM holds many public meetings and "town meetings" on special national issues such as range reform, mining reform, the forestry plan, minerals management, resource planning, disposal of sewage sludge and other specific local issues. Since August 1993, BLM has had a formal policy of identifying minority, tribal or low income populations that may be affected by the pending decision during the preliminary scoping under NEPA, and to assess the impacts on them, and to involve them in our public participation processes. BLM also complies with the requirements under the American Indian Religious Freedom Act (AIRFA) and the National Historic Preservation Act (NHPA) that mandate public input from American Indian Tribes when the Bureau's projects may affect Indian religious practices or sacred areas.

All State Offices include the Tribal governments on mailing lists for news releases, scoping letters and notices, and various other correspondence. The many BLM Districts with lands adjacent to Indian reservations, often provide extensive technical and regulatory support to the neighboring tribes. State Offices and District Offices maintain full recordkeeping practices on findings-at public land hazardous substances release sites. State health agencies' and the Agency for Toxic Substance and Disease Registry's data related to such sites is also made available to the public through the BLM or through the appropriate agency. The BLM policy is to provide multi-language signs at risk sites that alert the public, in English, Spanish, and Navajo, to the fact that hazardous materials are present at the site. BLM is considering translation of brochures and other documentation on issues that potentially impact minority and low income populations environmentally.

Goal 1.--What We Are Doing

OFFICE SURFACE MINING (OSM): The OSM continues to incorporate the views and ideas of all of its constituents groups in all its decision-making activities. The meaningful public participation of low-income, minority community members and members of the Native American community has been and continues to be high priority in the Agency's dealings with the States, Tribes, citizens and the industry.

In an effort to ensure that all members of affected communities have the opportunity to convey their ideas and concerns to the agency on decisions that affect their community, we have established proactive public participation procedures: ensure the attendance of interpreters at all public hearings for non-English speaking participants; the advertisement of public hearings and meetings in local mediums other than the local newspaper; hold public meetings and hearings in locations and facilities in the affected communities whenever possible.

Further, we ensure that members of the affected communities have access the necessary information that affords them the opportunity to provide meaningful comments. Providing this information also gives the members of the affected community the background they need to determine what effects, if any, a proposed action will have on their community.

Additionally, OSM has a policy of public outreach that informs citizens of proposals that may have an impact on their communities. Further, OSM has established an Advisory Committee under the Federal Advisory Committee Act to advise it on specific regulatory issues. This committee will be comprised of members from the States, Tribes, industry, and residents of the coalfields. This process will afford further opportunities for members of affected communities to have meaningful participation in the decisions that are made that affect their communities.

MINERALS MANAGEMENT SERVICE (MMS): The public is invited to participate in MMS sponsored meetings to submit written or oral suggestions on environmental issues and alternatives that should be analyzed on draft National Environmental Policy Act (NEPA) documents.

- Decide what type of scientific and technical information is needed to support the Outer Continental Shelf (OCS) decisions and prepare related decision analyses.
- Determine the scope of environmental impact analyses that are prepared for decisions to lease or conduct mineral development operations on the OCS.
- Ensure that MMS environmental analyses are of a high

Goal 1.--What We Are Doing

quality.

The MMS environmental documents are sent to local public repositories such as libraries and educational institutions. Notices of the availability of environmental documents and of related public hearings and meetings are given to the print and electronic media servicing potentially affected populations. The MMS has also established regional outreach programs to educate the public about the OCS program in general via exhibits at public events and conferences, presentations at schools and MMS-sponsored community meetings, and interviews with the news media. The MMS produces some public information documents in Spanish, Japanese, and Alaska Native languages to ensure that non-English speaking populations, potentially affected by OCS activities, are made aware of those activities. Examples of translated documents include press releases, "fact sheets," and layperson's summaries of technical studies and reports.

The MMS Environmental Studies Program (ESP) has established relationships with numerous academic institutions for the purpose of conducting OCS-related oceanographic and biological research such as the University of Alaska, Louisiana State University, Texas A&M University, the University of New Orleans, the University of Southwestern Louisiana, and Jackson State University.

BUREAU OF RECLAMATION (BOR): Because of the special relationships between the United States and Indian tribes, Reclamation has Native American Affairs Offices in Washington, D.C., the Regions, and many area offices. These offices are primarily concerned with making Reclamation services more readily available to tribes and make sure that Indian concerns are considered by Reclamation. Reclamation has implemented procedures to insure that its projects do not adversely impact Indian trust assets.

Reclamation staff produce and review all documents in order to make them concise, understandable, and readily accessible. Notices of public meetings are published in news media and through electronic media (radio and television) as well as the Federal Register. NEPA documents requiring public review are made available for display in public libraries and distributed to all upon request.

Goal 1.--What We Are Doing

Some modeling efforts and testing have been referred to universities and colleges, but BOR tends to use its own personnel in research, communication, or leadership efforts. To further environmental justice, the BOR has partnered with the Bureau of Indian Affairs and Hispanic-serving institutions to help provide education.

BUREAU OF MINES (BOM): The Bureau has facilitated exchanges with lead paint environmental justice experts from the NAACP and the National Safety Council with the BOM lead science center office. The Bureau of Mines participates in the hearings of land management agencies and other agencies involved in issues related to research in mining and miner health and safety. The Bureau works closely with a number of universities and colleges in the conduct of its research. The closest and most formal relationship is with the U.S. Department of the Interior's 31 Mineral Institutes which may prove to be helpful to the Department in its pursuit of the environmental justice effort (Reference: the 1994 Mineral Institute Report).

U.S. FISH AND WILDLIFE SERVICE (FWS): The FWS provides input to the public on its activities through a variety of communications media, including CompuServe, Internet, news releases, press advisories, fact sheets, an agency newsletter, public service announcements, Federal Register notices, public meetings, workshops, and targeted mailings. In addition, brochures, posters, exhibits, other general publications and videos (close-captioned for the hearing impaired) are developed to provide information to the public on major FWS programs and activities. Internet has the potential ability to reach millions of people on a global scale.

The FWS is working on various projects with Indian tribes along the United States-Mexico border that may benefit fish and wildlife resources, as well as the Indian tribes. Many of these projects further the goals of the North American Free Trade Agreement (NAFTA); abatement projects will result in positive effects on tribes and low-income communities and populations on both sides of the border. The FWS is working with other federal agencies in the implementation of these activities (Reference: President's NAFTA Report on Environmental Issues, November 1993).

Goal 1.--What We Are Doing

The FWS is continually updating guidance for subsistence taking of fish and wildlife on federal lands in Alaska. Concerns regarding impacts on Alaska Natives were addressed in an Environmental Impact Statement (EIS). An interagency team representing the FWS and four other federal agencies from the Departments of the Interior and Agriculture, conducted 58 scoping meetings and 41 public meetings. A major effort was exerted to communicate with all Alaska Native villages, Alaska Native regional corporations, and major Alaska Native groups in Alaska for consultation.

The FWS is cooperating with Canada and with various American Indian tribes on a proposed Migratory Bird Treaty protocol for subsistence take by Alaska rural residents. Additionally, there is a cooperative management effort with Alaska Natives and Russian indigenous peoples for the polar bear.

Successful FWS programs that target inner city and other indigent groups are as follows:

- Job Corps centers, located on three refuges, were created through interagency agreement with the Department of Labor. Training activities involve conservation activities such as restoring wetlands, building nature trails, construction of refuge facilities, fishing derbies and junior hunting programs.
- The Junior Duck Stamp Conservation and Design Program reaches young people from all parts of society.
- Earth Stewards Conservation Education Program reaches young people from all parts of society.
- Adopt-A-Wetland Program reaches young people from all parts of society.
- "A Home for Pearl" curriculum guide is particularly targeted to urban youth.
- Partners for Cultural Diversity Program focuses on encouraging minorities to pursue natural resource careers.

The FWS requires that recipients seek input from minority and disadvantaged communities. The FWS also requires that minority and disadvantaged individuals be included on Recipient Advisory Councils. Assurance Agreements are made between recipients of FWS funds and various State field stations and contractors to ensure adherence to civil rights requirements.

Goal 1.--What We Are Doing

In the Alaska Region, the FWS conducts numerous hearings and informal meetings associated with decisions or planning processes that affect "bush" communities. Newsletters, mail back comment sheets, and public service announcements on local radio stations are used. FWS project leaders, planners, and biologists are expected to make contact with Alaska Native tribes, organizations/groups and other interest groups as early as possible within the process to ensure that all affected parties understand FWS proposals.

In that regard, the FWS employs Alaska Native interpreters who assist in gathering data within their communities. A wide variety of fish and wildlife and environmental information and education projects are done in conjunction with Alaska Native corporations and local schools in the bush communities. For example, posters, exhibits, public service announcements, and even calendars have been produced in languages other than English to reach non-English speaking Native publics. Many FWS notices, particularly for rulemaking, have "boiler plate" language that has been extensively reviewed to ensure it is concise and understandable.

Some refuge and Ecological Services field offices provide public documents and notices in Spanish; and several field offices have Spanish/English speaking personnel to provide oral communications in and out of the field offices and at public and informal meetings.

NATIONAL PARK SERVICE (NPS): The NPS has an extensive public involvement and participation programs incorporated into its planning and decisionmaking process. The NPS makes diligent efforts to involve potentially affected publics in scoping, development of alternatives, analysis of impacts, and public review of NPS proposed activities. These efforts have included the development of written materials for non-English speaking populations, as well as the use of translators for non-literate, non-English speaking populations.

For example, in developing the General Management Plan for Chaco Culture National Historic Park as well as for the El Malpais National Monument, NPS staff had extensive involvement with Native American groups, using interpreters to facilitate interchange between NPS personnel and local Native American residents. In the Washington area, NPS has taken steps to keep Latin-American communities involved in the NPS environmental decision making process. In particular, use of the area surrounding the tennis stadium at Rock Creek Park has created conflicts between user groups. In order to fully involve local Latin-American soccer users, Spanish translations were made of documents to explain the environmental planning process.

Goal 1.--What We Are Doing

The NPS planning process will become more sensitive to environmental justice concerns after the revision of NPS-12, the NPS guidelines for implementation of the procedural requirements of the National Environmental Policy Act. NPS plans to include guidance on environmental justice issues within these revisions.

NATIONAL BIOLOGICAL SURVEY (NBS): Scientists notes, field books, and other data are provided to the public upon request. (Note some data is restricted but receives prompt review for appropriateness of release.) Technical experts provide advice and guidance to other agencies to provide input for their public documents. All offices post any health hazard bulletins on public electronic bulletin boards. NBS has about 50 Cooperative Research Units at colleges across the country. These are the combined efforts of federal, state and university activities. The focus of these units is on biological research.

BUREAU OF INDIAN AFFAIRS (BIA): Tribal governments and their members are always involved in Bureau actions involving public participation and access to information. The majority of their actions are initiated by tribes or individual Indian landowners. The BIA actions, such as regulations, handbooks and guidance documents, are subject to tribal scrutiny prior to approval. Updated manuals, which are widely distributed, help ensure that documents are concise and understandable. Tribal concerns are discussed and mentioned throughout the NEPA documents, especially in the "Alternatives" and "Socio-Economic" sections. The Bureau usually has had interpreters present at public hearings concerning its NEPA documents. Public documents, notices and hearings are available and open to all tribes as appropriate.

U.S. GEOLOGICAL SURVEY (USGS): The USGS, a scientific earth-science information and research agency, generates baseline data used by state, federal, and tribal agencies which have responsibilities for ensuring the basic justice of their environmental programs on minorities, low income, or tribal communities. For example, the USGS collects, analyzes, and compiles information on water quality, sediment quality, and in some instances contaminants in fish; these data are collected objectively and are made available to governmental agencies and the public through new releases, meetings, symposia, on-line computer facilities, and public library systems. When during the course of sampling, environmental standards are exceeded, the USGS notifies the appropriate regulatory or enforcement agency of its findings. The USGS endeavors to provide credible, reliable data and information without bias toward any group or viewpoint.

Goal 1.--What We Can Do

Strategies on what we can do:

A. We can share the principles for public participation meetings developed by the National Environmental Justice Advisory Council (NEJAC) Subcommittee on Public Participation and Accountability and recommendations by the Interagency Working Group Outreach Task Force so that local DOI organizations can adopt as appropriate:

"Guiding Principles of Public Participation. Public participation is needed in all aspects of environmental decision making. Communities and Agencies should be seen as equal partners in dialogue on environmental justice issues. In order to build successful partnerships, interactions must: recognize community knowledge; encourage active community participation; institutionalize public participation; and utilize cross-cultural formats and exchanges. Maintaining honesty and integrity in the process by articulating goals, expectations, and limitations is necessary."--NEJAC

Progress Measurement - DOI, Office of Environmental Justice will distribute key IWG and NEJAC final reports and recommendations by March 1, 1995.

B. The Department will work to improve its procedures and guidance, under the NEPA. Interior will expand opportunities for community input in the NEPA public involvement process by actively seeking the involvement of minority, low-income communities and Indian tribal governments. Under NEPA, Interior and its Bureaus will inform the public about periods of comment and public forums and meetings, where all stakeholders have an opportunity to comment on major Interior policies, activities, and actions.

Progress Measurement - Distribute the Council on Environmental Quality (CEQ) and the Environmental Protection Agency (EPA) Reports developed on improvements in public involvement and social impacts by March 1, 1995.

Progress Measurement - Each Bureau will draft communication on how they intend to pursue outreach for public participation by April 1, 1995.

Goal 1.--What We Can Do

C. The Department will review current reports and recommendations and look to address American Indian and Alaska Native issues. The Department will address in the implementation plan the issue of providing an opportunity for tribal grassroots organizations and individuals to express their environmental concerns related to actions taken by Interior.

Progress Measurement - The BIA will formally appoint a liaison to assist the other Departmental and Bureau Coordinators by February 1, 1995.

Progress Measurement - The Bureau of Indian Affairs will present by September 1995, after Tribal consultation, a strategic implementation plan integrating and addressing the factual data, concerns, and recommendations presented by 1) the American Indian Listening Conference concerns on Environmental Justice from April 1994; 2) the Environmental Justice Interagency Working Group Native American Task Force Discussion Paper on Environmental Justice for American Indians and Alaska Natives December 1994; and 3) the May 1994 National Tribal Environmental Council report on the status of tribes and the environment.

Goal 2. The Department will provide its employees environmental justice guidance and with the help of minority and low-income communities develop training which will reduce their exposure to environmental health and safety hazards.

What We Are Doing:

DOI-SECRETARY'S OFFICES: Issued to the IWG copies of video, "Federal Indian Trust Responsibility on December 12, 1994. Additional copies may be obtained from the Office of American Indian Trust. Also issued was a map entitled, "Indian Land Areas". Additional copies may be obtained from BIA, Public Affairs Office. Issue guidance on special government-to-government relationship when seeking solutions for the varied environmental issues that involve Tribes. Any tribal environmental justice directives will assure application of Federal Indian Policy, as reinforced by executive memoranda dated April 29, 1994, which requires the federal government to: 1) pursue the principle of Indian "self-determination", 2) work directly with Tribal governments on a government-to-government basis and 3) to consult with Tribes. Federally recognized Indian tribes are distinct political entities, capable of managing their own affairs and governing themselves. As such, the Department recognizes federally recognized American Indian tribes as providers of environmental justice to members and persons who are subject to their jurisdiction. Upon the request of a tribal government, the Department provides assistance. (An example is the judicial systems/processes guidance provided through the Bureau of Indian Affairs' Judicial Services program.)

BUREAU OF LAND MANAGEMENT: Environmental Justice guidance is given through an Instruction Memorandum entitled "Policy of Promoting Environmental Justice in Public Lands Decisions", and an Information Bulletin entitled "Strategic Plan for Environmental Justice". The BLM has also drafted a handbook on American Indian consultation. The handbook is a joint product of an agreement between the BLM and the National Indian Justice Center on improving communications between the Bureau and tribes and improving tribal access to BLM processes.

Since the mid-1980's, the BLM has made a special and increasing effort to avoid authorizing high risk activities on the public lands. Some activities, such as new sanitary landfill authorizations, have been banned entirely; others, such as non-emergency aerial spraying of pesticides, have been virtually eliminated. The effects of land purchases, BLM waste disposal and prescribed burning, as examples, and most other activities are carefully analyzed for environmental and health risks in advance. BLM is working with the Department of Defense to reduce risks from former military uses. The BLM responds rapidly to unpredictable incidents such as illegal toxic waste dumping,

Goal 2.--What We Are Doing

transportation accidents involving chemicals, wildfires, oil spills, and others.

The BLM State Offices send employees to dispute resolution training in a broad range of centers, institutes, colleges and universities. Several BLM employees are nationally known for their mediation skills in natural resource based conflicts and provide assistance to other DOI agencies and to Indian tribes.

OFFICE SURFACE MINING: The Office of Surface Mining is developing a strategic plan devoted exclusively to its environmental justice activities. This strategy will provide employees with the Agency's policy and procedures for effectively addressing legitimate environmental justice issues. Further, in the Agency's continuing outreach efforts with the citizens of the coalfields, our employees will become more aware of and familiar with the specific problems associated with the members of the affected communities.

BUREAU OF RECLAMATION: All Reclamation projects, regardless of whom they affect, contain mitigation for any environmental impacts. No distinction is made for any particular group, except under the Indian trust asset policy. Guidance criteria include general regulations such as the National Environmental Policy Act Handbook and the newly issued Indian trust asset policy and implementing procedures. Rules directed against discrimination by race, religion, and so forth are established through federal as well as Reclamation guidelines, and laws. Some programs and activities which target minority communities are described below:

1. Public Law 93-638 - Reclamation enters into Indian Self-Determination, Education and Assistance Act ("638") contracts with tribes under this program. Under this program, tribes assume responsibility for programs and projects and thereby "side-step" many of the bureaucratic and social hurdles that created environmental justice problems. Reclamation has provided training to its employees to deal more effectively with contracts related to this law.

2. Water Systems O&M Workshops for Indian tribes - These workshops make available expertise similar to that at the annual Water Systems O&M Workshop held in Denver with three notable exceptions. The workshops are held at no cost to the benefiting Tribe. Second, these workshops are brought to the tribes rather than vice-versa, allowing a greater and more diversified attendance. Third, specialty workshops have been held on several subjects including: irrigation system O&M, damtenders' training, municipal and industrial water systems, and procedures for high-scaling.

GOAL 2.--What We Are Doing

3. Engineering technical assistance - Under a Memorandum of Understanding executed in 1993 between Reclamation and the Navajo Nation, Reclamation established a full-time General Engineering position to work with the Navajo Nation to provide technical assistance concerning rehabilitation of the entire Navajo Nation's irrigation system and to assist in establishing an irrigation office.

4. Native American Cultural Awareness Workshop - These workshops are put on to educate Reclamation staff about key concepts concerning American Indians and to increase awareness of barriers that have sometimes interfered with interactions between Reclamation officials and American Indians.

5. Technician Training Programs - Reclamation participates in these programs designed to provide water resources training for young Native Americans, many of whom eventually work for the tribes in such areas as water quality monitoring.

6. Memorandums of Understanding with Universities, Institutions and Councils - Reclamation has entered into agreements in support of an Indian Legal Program and education of the Indian people in water law and management of cultural and natural resources. The College Bound Math and Science Enrichment Program is designed to increase the number of American Indian and Alaska Natives who graduate from high school with an emphasis in math and science necessary to complete engineering, science, and technology undergraduate and graduate programs.

U.S. FISH & WILDLIFE SERVICE: Through the FWS's Office of Training Education (OTE), a variety of training courses are offered to Service managers that include elements of conflict resolution and deal specifically with inter-cultural and minority conflicts.

In June 1994, the FWS released its Native American Policy. The purpose of that policy is to articulate general principles to guide the FWS's government-to-government relationship with American Indian and Alaska Native governments in the conservation of fish and wildlife resources. It is a partnership approach with American Indian governments that respects and utilizes the traditional knowledge, experience, and perspectives of American Indians in managing fish and wildlife resources.

NATIONAL PARK SERVICE: The NPS has used alternative dispute resolution (ADR) policy instructions in a variety of situations not only in conflicts with minority and low income populations and Indian Tribal governments, but with affected publics in conflict situations. Awareness of ADR use is provided in training programs concerning environmental law, policy, and

Goal 2-What We Are Doing

evaluation.

The NPS has drafted a special directive concerning the incorporation of environmental justice in environmental analysis. The directive is in response to Executive Order 12898. The draft directive stresses the importance of public participation with affected minority and low income communities with respect to environmental decision making, instructing NPS staff to analyze the environmental effects, including human health and socio-economic, of NPS actions. All actions should be examined that may have an effect on minority or low income communities, regardless of whether the effect is from a direct, indirect, cumulative or sponsored action. Once finalized, this directive will be distributed throughout NPS to orient Washington, Regional, and Park staff with environmental justice concerns within the NPS.

The National Capital Region (NCR) of NPS provides a good example of a region of NPS that has a high degree of environmental justice concerns because of the location of the parks in an urban area with adjacent minority communities. In particular, the National Capital Region East has area which are exposed to hazardous material, especially on NPS land along the Anacostia River, which is cited as one of the most polluted rivers in an urban area. NCR is taking definite steps to educate its staff regarding the enforcement of environmental statutes in these minority areas in order to be able to identify and punish pollution control violators and clean up the damaged areas.

In addition, the NPS has outreach programs to educate the public on the mission of the park service and related activities. These outreach programs are an affective means of educating minority and low income persons, in particular those living adjacent to urban parks, about environmental and conservation issues. Presently, NPS is working on compiling an inventory of educational outreach programs. This inventory will then be disseminated, preferably through internet, so that communities have access to knowing the programs/courses that NPS runs and can get involved in the mission of the park service.

BUREAU OF INDIAN AFFAIRS: The approval process for BIA activities are tightly governed by technical standards and guidelines designed to prevent such harm. As an example, the environmental impact statement (EIS) for the Campo solid waste project required design standards that exceeded both Environmental Protection Agency (EPA) and State of California standards. Also, approval of restricted use pesticides is controlled by EPA regulations and DOI review committees, and the pesticides are applied by certified applicators. Tribes generally have veto power over BIA actions on the reservations.

Goal 2.--What We Can Do

MINERALS MANAGEMENT SERVICE: The MMS has provided many of its employees with training in basic environmental conflict management techniques. This was accomplished at a series of recent regional workshops conducted by a consulting firm under contract to the MMS.

Strategies on what we can do:

A. Departmental policy regarding environmental justice will be developed, coordinated and disseminated in the following areas:

1. Publish guidance reflecting the latest scientific information available regarding methods for evaluating the human health risks associated with the consumption of pollutant-bearing fish or wildlife.

2. Review and update for agency contract officers and applicants materials on minority contractor processes about the evolving area of environmental justice. This will be in conjunction with the Interagency Working Group Outreach Task Force effort.

3. Issue guidance, following Department of Justice direction, on application of Title VI of the Civil Rights Act to environmental justice issues.

4. Establish a working group and a calendar to alert groups on environmental justice issues.

B. Guidance on environmental justice and the American Indian and Alaska Natives will be the basis of consultation with tribes and incorporate the issues and recommendations identified at the 1994 American Indian Listening Conference.

Progress Measurement - Designate contact/liaison person within each bureau to accommodate Environmental Justice questions, concerns and referrals. Each office will develop and issue interim guidance for specific directives noted in the Executive Order on Environmental Justice. As part of this guidance Interior organizations will identify and share examples of ongoing DOI-community participation by February 1995.

DOI-Office of Environmental Justice will distribute to Interior's offices EPA's report, "Environmental Attitudes and Behaviors of American Youth" by March 1995.

Progress Measurement - DOI-Office of Environmental Justice will coordinate with EPA to publish the President's and Secretary's policy and mission statements on Environmental Justice via a one-page newsletter or talking paper. On a regular basis, publish

Goal 2.--What We Can Do

Environmental Justice successes and concerns.

Progress Measurement - Explore provision of universal sign symbols to designate dangers at hazardous materials and other sites on Department and Bureau land located in or adjacent to minority and/or American Indian communities or lands by December 1995.

Progress Measurement - DOI-Office of Environmental Justice will distribute final recommendations of the Native American Task Force on Environmental Justice with the products provided as the Tribal Leaders Directory and the Native American Organizations by February 1995. These documents will commence the consultation process with the tribes to build American Indian and Alaska Native guidance.

Goal 3. The Department will use and expand its science, research, and data collection capabilities on innovative solutions to environmental justice related issues (for example, assisting in the identification of different consumption patterns of populations who rely principally on fish and/or wildlife for subsistence).

What We Are Doing:

BUREAU OF LAND MANAGEMENT: The BLM's National Native American Program Office will coordinate and explore new approaches to the principles of the Indian Self-Determination Act and creative adaptations to Rural Empowerment Zones affecting all rural low income people.

OFFICE OF SURFACE MINING: There are several priority programs ongoing with OSM that address many of the environmental degradation problems. Those programs include: the Appalachian Clean Streams Initiative; the highly successful Abandoned Mine Land Program; TIPS and most recently the public availability of a computer system known as the Applicant Violator System. A description and benefit to members of the affected communities are identified:

The Abandoned Mine Lands (AML) program is one of the most successful programs that addresses the adverse affects of past coal mining on the environment. The data base which identifies lands adversely affected by past coal mining and will assist OSM, the States and Tribes on efforts to eliminate or reduce adverse impacts of environmental actions on minority, tribal, or low-income communities and Indian tribal governments and members. Federal grants are disbursed to states and tribes for their use in reclaiming or minimizing the adverse affects of coal mining. Thousands of acres of environmentally degraded lands have been reclaimed to a beneficial and productive use through this program. Emergencies that have been brought to the attention of OSM have either been addressed directly by OSM or by the States or Tribes through the use of funds from this program.

The Technical Information Processing System (TIPS) three-dimensional graphic analysis to pinpoint levels of toxic or acid-producing materials. TIPS is a national computer system used by states and tribes to implement their technical regulatory responsibilities.

The Appalachian Clean Streams Initiative unites State, local and federal government agencies, the Congress, citizens, universities, the coal industry, corporations, and the environmental community to clean up streams polluted by acid mine drainage. An important aspect of this initiative is the involvement of the people who live in the coalfields and the support of corporations, including those in the coal industry.

Goal 3.--What We Are Doing

Through their participation, citizens and corporations can help to ensure that government efforts bring about tangible benefits to people and the environment.

MINERALS MANAGEMENT SERVICE: The MMS has conducted numerous studies about the potential effects OCS development has on the subsistence life styles of Alaskan Natives. These studies also collect data about fish and wildlife and the potential effects of OCS development on the quality and availability of subsistence resources and patterns of fish and wildlife harvest and consumption. The MMS has also completed a study of Northwest tribes that describes the conditions of Northwest tribal lands, economies, and cultures.

The MMS is planning to conduct a baseline study of social and economic trends in the Gulf of Mexico coastal region from 1930 to the present. Among the many issues to be examined are the impacts of oil industry activities on the health of various groups that reside in the region.

The MMS is cooperating with the Alaska Department of Fish and Game (ADFG) in an effort to gather data on the harvest and consumption of wild food by the inhabitants of 30 Alaska Native villages. The study is scheduled to be completed in March 1995.

BUREAU OF RECLAMATION: Reclamation collects data to display and assess human health and environmental-based problems and needs for water treatment and distribution systems. Reclamation is developing and testing photovoltaic and desalting technology to improve water quality on the Navajo Nation.

The Water Treatment Technology Program (test project taking place on the Navajo Reservation) includes:

1. Compiling national treatment needs survey;
2. Identifying small-community water treatment systems;
3. Desalting membrane development;
4. Wellhead treatment processes;
5. Encouraging new ideas from small operators;
6. Western water projects;
7. Technology transfer;
8. Supporting emerging water treatment technology; and
9. Detoxifying wastewater treatment processes effluent.

BUREAU OF MINES: The BOM works closely with the Mine Safety and Health Administration data to investigate cases and possible solutions to health problems associated with mining which may have some bearing on Indian health issues since some mines are on Indian land. Research and data collection is on the mining

Goal 3. What We Are Doing

industry and its impacts on the land and ecosystems surrounding the mineral industry.

U.S. FISH & WILDLIFE SERVICE: The FWS conducts short-term and some long-term studies and research related to various environmental issues, such as the management of refuges, fisheries, and environmental contaminant issues. Examples of studies that may relate to environmental justice issues are as follows:

1. Region 2 (southwest United States) is planning to conduct economic analyses of possible adverse impacts arising from the designation of critical habitat for the Mexican spotted owl and the Rio Grande silvery minnow on minority or low-income communities and populations and Indian tribal governments and their members. These analyses will address rural economies and small-scale farming.

2. Contaminant baseline investigations in the lower Rio Grande valley of Texas are helping to assess impacts to fish and wildlife resources and alert minorities to potential environmental pollution concerns.

3. Region 7 (Alaska) is currently conducting traditional (Alaska Native) knowledge and consumption surveys for polar bear, walrus and sea otter.

NATIONAL PARK SERVICE: A socio-economic research project continues providing existing census data to identify those counties adjacent to National Park system units that have substantial minority or low income groups or individuals residing in adjacent areas. Departmental access to census records could be made available by computer or CD-ROM.

U.S. GEOLOGICAL SURVEY: The USGS provides data and information on environmental conditions in all 50 states and the Trust Territories of the United States. Cooperative studies are done with over 1100 local and state agencies that make environmental decisions for their constituencies; those studies include investigations with more than 60 Native American tribes. Some examples of investigations include; through the National Water Quality Assessment Program, evaluation of DDT impacts on fish is an important activity; and through the Mineral Resource Survey Program, geochemical modeling in Colorado down gradient from mineralized and mined areas assessing the impact of trace metals on forage and grazing lands. Through USGS water resource, geologic, and mapping investigations insight on natural and human-effected earth processes is obtained, often leading to innovative solutions to environmental problems.

Goal 3.--What We Are Doing

Because of its non-advocacy role, the USGS is in the process of ensuring that employees are aware of environmental justice issues to be sure that those concerns are not overlooked during program planning.

NATIONAL BIOLOGICAL SERVICE: The NBS is in the process of developing a program to monitor the effect of contaminants on biota and ecosystems. This program is called Biomonitoring of Environmental Status and Trends (BEST) and when implemented may be able to provide information that would give an analysis of environmental justice issues. Other biological inventory and monitoring activities may show trends in species or ecosystems that relate to potential human impacts.

NBS uses the National Biological Information Infrastructure (NBII), a distributed electronic network linked to DOINET and Internet for serving and accessing biological information. The NBII is a network of many distributed data bases and technologies, implemented and maintained by a wide range of data owners, working with data managers, technicians, and data providers both inside and outside of the NBS. The NBII will allow users the world over to discover, access, and analyze data, located in files, publications, and computers in federal, state, tribal and local governments and in non-government organizations.

NBS has also initiated research and is gathering biological information pertaining to twelve ecosystems. This information may have some utility in examining community health and safety issues.

BUREAU OF INDIAN AFFAIRS: The BIA's major actions are the result of tribes approaching the Bureau with economic development proposals. These proposals may take the form of waste disposal activities, uranium mining, oil and gas development, gaming facilities or other ground disturbing activities. Research and scientific studies to support these actions are basic requirements of the Bureau.

Goal 3.--What We Can Do

Strategies on what we can do:

A. The Department will share its environmental justice inventory data collected on the social, economic, and health issues of minorities or low income groups and Indian tribal governments and their members. We will work with representatives of minority and low income-communities, tribal governments, industry, and government to evaluate health, safety, social, and economic impacts related to current and proposed environmental management activities. BLM suggests the establishment of a clearinghouse for information and repository of data and studies related to environmental justice issues. Such a clearinghouse could be cost effective for DOI-wide use. BLM suggests that a state-by-state catalog of relevant reports be published annually. Reclamation suggests examining its Indian Assistance program in some detail to understand better its successes, failures, and needs. The results of the study could be a basis for expanding our entire environmental justice program and become a logical bridge to what should be an expanding concern for social and environmental justice.

Progress Measure: In the implementation plan for February 1995 include a science segment of actions which can be further refined at the proposed Federal science summit on environmental justice.

B. DOI Bureaus and Offices will use the recommendations of the Environmental Justice Interagency Working Group Task Force on Research and Health. In addition, we will use and share the broad guidelines and recommendations of the Symposium on Health Research and Needs to Ensure Environmental Justice held in February 1994.

Progress Measurement -Distribution of information will be made by the Department by the end of February 1995.

C. The Department's science organizations will review current customer service plans to assure that minority and low-income populations are engaged in our research processes.

Progress Measurement - The DOI will explore the suggestions cross-referencing the Customer Service Plan, prepared in response to Executive Order 12862, "Setting Customer Service Standards" to the Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" for similarities.

Goal 4. The Department will use our public partnerships opportunities with environmental and grassroots groups, business, academic, labor organizations, and federal, tribal, and local government to advance environmental justice.

What We Are Doing:

BUREAU OF MINES (BOM): The Bureau currently has a technical proposal to work with Southwest tribes and also explore lead contamination innovative technology alternatives which could assist various Alaska Native and American Indian populations.

BUREAU OF LAND MANAGEMENT (BLM): The Resource Apprenticeships Program (RAPS) works with the BIA, Department of Fish, Wildlife & Parks, and the USDA Forest Service to organize work and educational experiences for minority and low income high school and college students. Other state-specific examples follow: BLM Montana participates in the Montana Interagency Ecosystem Management Committee; BLM Oregon participates in ongoing Tribal Leadership Forums hosted by the BIA to explore federal/tribal relations in the Northwest; the Coeur d'Alene Basin Interagency Group is a large group of federal, Tribal, State, and local governments which actively work together to clean up damage from past mining activities.

OFFICE OF SURFACE MINING: OSM has established an Advisory Board in accordance with the Federal Advisory Committee Act (FACA). The OSM Advisory Board will consist of representatives from OSM's constituent groups, including citizens, Native Americans, states, environmental groups, and industry. The Board will advise OSM on a variety of environmental and regulatory issues. Native Americans and citizens in the coal fields will have a direct link with the Director of OSM in airing and resolving concerns. OSM views the establishment of this Advisory Board as an advanced step in addressing areas of mutual concern with its constituent groups.

BUREAU OF RECLAMATION: Reclamation has a Technical Assistance for Native Americans Program that provides technical assistance on studies, training, and water treatment projects for small Native American communities. One component of this program ensures that there are reliable and safe drinking water systems that comply with the Safe Drinking Water Act. Also, a core team from the Technical Service Center will perform water treatment and wastewater treatment plant audits to determine if those plants are in compliance.

Nearly all studies or projects that Reclamation is involved with include potential impacts to tribes, the poor, and/or minorities. Some examples of such studies include the Truckee River Operating

Goal 4.--What We Are Doing

Agreement EIS/EIR, several of the Department of Interior National Irrigation Water Quality Program studies, and the Columbia River System Operating Review EIS. Indian tribes have participated as cooperating agencies on several major Reclamation EIS's.

U.S. FISH & WILDLIFE SERVICE: The FWS is involved in a variety of agreements and partnerships with other Federal agencies, the States, and other non-Federal entities such as:

- Partners for Resources Education and the Federal Interagency Council on Interpretation.

- The Interorganizational Committee on Guidelines and Principles for Social Impact Assessment. The Committee, comprised of social scientists representing government, academia, and the private sector, published a document in May 1994, entitled "Guidelines and Principles for Social Impact Assessment."

- In June 1994, the FWS released its Native American Policy that encourages a partnership approach with American Indian governments in managing fish and wildlife resources.

- At the Regional level, for example, Region 4 (southeast United States) is funding one FTE to Zoo Atlanta. Zoo Atlanta is an intercity zoo which reaches a substantial urban minority population. The Regional Office is also represented on the Environmental Justice and Urban Microclimate Committees of the Atlanta Environmental Priorities Project. In Region 2 (southwest United States), the Service is a participant on Federal Native American water rights teams.

BUREAU OF INDIAN AFFAIRS: The BIA was the lead in preparing an MOU with EPA, IHS and Housing and Urban Development which addressed roles and responsibilities on various environmental issues on Indian lands. These four agencies meet regularly to address major environmental and health related concerns as they appear.

NATIONAL PARK SERVICE: The NPS participates with a wide variety of interagency work groups such as the National Response Team, and the Environmental Protection Agency monthly environmental forum that can be useful in promoting the Departmental environmental justice strategic plan.

The NPS has numerous partnerships programs with youth corp and conservation organizations. In urban areas, these programs serve as a means to introduce minority and low income children and young adults to environmental and conservation issues. NPS and

Goal 4.--What We Are Doing

the organizations that NPS is in partnership with hope that the participants will take back the principles they have learned to their community, thus promoting environmental awareness.

The following are a small sampling of partnership programs involving youth corp organizations and the NPS:

- The City Volunteer Corps based in New York City, N.Y. has carried out projects within the Gateway National Recreation Area. Such projects have included beach cleanups and conducting surveys to catalog the debris washing up on beaches in order to monitor the incidence of hazardous debris which could adversely effect shorebirds and marine life.
- The Montana Conservation Corps has worked with the Blackfoot Tribe in a reclamation project on portions of the Continental Divide Trail, which weaves through both Glacier Park and tribal lands. This project provided a gateway for more jobs for tribal members within Glacier National Park.
- The Job Corps provides underprivileged youth, ages 16 to 24, an opportunity to benefit from an intensive program consisting of: education, vocational skills training, work experience, counseling, health services, and residential living. The Job Corps Civilian Conservation Centers have worked with Gateway National Recreation Area, Mammoth Cave National Park, and Harpers Ferry National Historic Park.
- The Conservation Career Development Corps program is an initiative to attract and prepare high risk inner-city minority and female high school and college students for career opportunities in the National Park Service. This is a demonstration project to use the urban park facilities as training sites. The program is designed to increase the diversity of employees in NPS to fully reflect the composition of the total population.

As these examples demonstrate, youth corp and job corp partnerships provide a solid environmental learning experience for the youths involved, while at the same time leaving behind a legacy of work products from which the parks benefit significantly.

Goal 4.--What We Can Do

Strategies on what we can do:

A. Identify opportunities to develop partnerships with Tribal governments, consistent with mission needs to provide necessary technical assistance to enhance tribal capacity to address environmental, health, and welfare concerns.

Progress Measurement - The Department will reactivate and provide resources to implement the Memorandum of Understanding with the Environmental Protection Agency (EPA), Indian Health Service and other Federal organizations which coordinate Federal activity to:

1. Ensure that each agency's resources are effectively utilized in alleviating waste disposal problems on tribal lands;
2. Support and work with the agencies and tribal governments and organizations researching environmental risk issues for tribal populations and lands;
3. Work with agencies, tribes and tribal colleges to determine environmental education program needs of the tribes;
4. Identify through tribal and interagency communication tools for assessing tribal environmental justice concerns and issues;
5. Enhance Federal agency knowledge and understanding of the special relationship with tribes.

B. Identify opportunities to develop partnerships with academic institutions, consistent with mission needs to provide technical and financial assistance to enhance education endeavors. Expand and promote environmental justice education programs with the American Indian Higher Education Consortium, Historically Black Colleges and Universities, and the Hispanic Association of Colleges and Universities.

Progress Measurement - A DOI joint program with the Council of Environmental Quality and a tribal college to discuss NEPA and the Environmental Justice process has been proposed for 1995. To advance environmental justice implementation, the DOI will use diversity opportunities within the Department and its Bureaus in the areas of employment, contracting, and academic partnerships.

Goal 4.--What We Can Do

C. Identify opportunities to develop partnerships with labor organizations, business, environmental, and state and local government to enhance identifying and solving environmental justice issues.

Progress Measurement - Interior officials will work with its community based organizations, labor organizations, employee chapters such as offices of Blacks in Government and National Image, external groups such as the Western Governor's Association and the Religious Partnership Council, business organizations such as the Chemical Manufacturers Association, tribal and inter-tribal organizations, and others to share information on environmental justice and to engage our Federal members in strategies to improve participation in minority and low-income communities. Within the implementation plan of February 1995 specific initiatives will be identified.

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Office of Environmental Justice (OEJ)



Environmental Justice Strategy: Executive Order 12898



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THE ENVIRONMENTAL PROTECTION AGENCY'S ENVIRONMENTAL JUSTICE STRATEGY

INTRODUCTION

EPA was established in 1970 in response to growing concerns about the problems and the difficulties in protecting public health and improving environmental conditions in our country. These concerns included unhealthy air, polluted rivers, unsafe drinking water, and waste disposal. EPA, and the Clinton Administration, believe that all Americans are important to the future of our nation and deserve to be protected from pollution, regardless of race, color, national origin, or economic circumstance. Early in her tenure, EPA Administrator Browner accepted the challenge to make environmental justice one of EPA's highest priorities. As part of the National Performance Review (NPR) efforts to reinvent government, the Administrator formed a team of EPA employees to focus on the Agency's mission, including environmental justice, and find solutions to problems that impede fulfillment of its mission.

On February 11, 1994, President Clinton issued Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," and an accompanying Presidential memorandum, to focus Federal attention on the environmental and human health conditions in minority communities and low-income communities. The Executive Order, as amended, directs Federal agencies to develop, by March 24, 1995 an Environmental Justice Strategy that identifies and addresses disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations.

DEVELOPMENT OF THE ENVIRONMENTAL JUSTICE STRATEGY

Our Goals:

- ◆ No segment of the population, regardless of race, color, national origin, or income, as a result of EPA's policies, programs, and activities, suffers disproportionately from adverse human health or environmental effects, and all people live in clean, healthy, and sustainable communities.
- ◆ Those who live with environmental decisions — community residents, State, Tribal, and local governments, environmental groups, businesses — must have every opportunity for public participation in the making of those decisions. An informed

and involved community is a necessary and integral part of the process to protect the environment.

The Principles: The purpose of the Strategy is to ensure the integration of environmental justice into the Agency's programs, policies, and activities consistent with the Executive Order. As the Administrator said when the President issued the Executive Order:

"We will develop strategies to bring justice to Americans who are suffering disproportionately... We will develop strategies to ensure that low-income and minority communities have access to information about their environment--and that they have an opportunity to participate in shaping the government policies that affect their health and environment."

Our strategy and further efforts on environmental justice will be based on the following guiding principles:

- 1) Environmental justice begins and ends in our communities. EPA will work with communities through communication, partnership, research, and the public participation processes.
- 2) EPA will help affected communities have access to information which will enable them to meaningfully participate in activities.
- 3) EPA will take a leadership and coordination role with other Federal agencies as an advocate of environmental justice.

The Process: Since the NPR report and the issuance of the Executive Order, a number of steps were undertaken by the Agency:

- ◆ EPA established the Environmental Justice Steering Committee and Policy Workgroup to develop, help implement, and monitor EPA's environmental justice activities. The Steering Committee acts as a senior management "board of directors" to guide environmental justice at EPA. The Policy Workgroup, made up of senior-level staff, develops, implements, and reviews environmental justice policy. In addition, each Office and Region has established Environmental Justice Coordinators. These three groups are assisted by the Office of Environmental Justice.
- ◆ On April 11, 1994, EPA formed the National Environmental Justice Advisory Council (NEJAC), which is comprised of 23 representatives from academia, business and industry, State, Tribal, and local governments, environmental organizations, community groups, and non-governmental organizations. The NEJAC provides advice to the Agency on matters related to environmental justice.

Communities and leaders of the environmental justice movement have taken leadership roles in this process.

- ◆ The EPA National Goals Project has held a series of public meetings around the country to identify major environmental priorities, including environmental justice issues. Environmental justice concerns are integrated into EPA's process of identifying national environmental goals.

The Steering Committee and Policy Workgroup have been developing an environmental justice strategy for the last year. The first step was the Environmental Justice Action Plan developed in response to the recommendations of the NPR. The Action Plan was incorporated into the Agency's draft outline of the Environmental Justice Strategy produced pursuant to the Executive Order. Expanding on the draft outline, Offices and Regions contributed substantially to this Strategy. The Strategy incorporates the Agency's work with the Federal Interagency Working Group on Environmental Justice, its task forces, and with other Federal agencies. It was produced with the hard work and expertise not only of those within the government, but, more importantly, with the support of a broad range of individuals outside the government who care about these issues.

The early documents leading up to the development of this final Strategy were developed with involvement of diverse people and groups working together. EPA recognizes that no process would be appropriate without up-front involvement of our communities and stakeholders. For example, the NEJAC and its four subcommittees have been actively involved in the strategy development process by reviewing and commenting on EPA's Environmental Justice Action Plan, EPA's draft outline, and draft strategy. At the January 1995 NEJAC meeting in Atlanta, NEJAC committees and subcommittees contributed substantial comments to the Draft Environmental Justice Strategy. EPA and other agencies held an interactive public forum to solicit comments on the draft Strategy from communities and stakeholders throughout the nation.

The strategy uses the term "minority" rather than "people of color" in order to be consistent with the Executive Order, but EPA is mindful and supportive of many communities' desire to use "people of color." The Strategy's uses of the term indigenous refers to all people within the boundaries and territories of the United States regardless of their affiliation with a federally-recognized Tribe. However, the Agency recognizes various terminology preferences among native people and will strive to respect and utilize appropriate language on a case-by-case basis in its interactions with native constituents.

This Strategy is a broad, framework intended to be a "Living Document" and an initial step in an ongoing effort to integrate environmental justice objectives into the Agency's activities.

INTEGRATION WITH OTHER EPA PRINCIPLES AND APPROACHES

The Environmental Justice Strategy is well-integrated into the fabric of many of the Agency's principles and initiatives which the Agency considers fundamental to its operation and mission. In fact, environmental justice is one of the seven guiding principles established in the Agency's strategic plan, "The New Generation of Environmental Protection." For example, in EPA's community based environmental protection, the Agency works with the affected communities in fashioning strategies to promote a healthy environment and a sustainable economy. Additionally, partnering with communities with minority low-income populations which may be suffering from disproportionately high and adverse human health or environmental effects should be a cornerstone of EPA's pollution prevention efforts. Another important partnership is with the States and Tribal governments in the operation of regulatory and enforcement programs. EPA recognizes the crucial implementation role of these State and Tribal partners, and will work with them to incorporate environmental justice into our efforts.

Furthermore, NPR activities underway provide a foundation for addressing institutional environmental justice issues in a more coordinated fashion. One example is the reorganization of the Agency's enforcement functions into the Office of Enforcement and Compliance Assurance (OECA). The reorganization allows the Agency to make better use of innovative compliance methods in cross-cutting areas such as multi-media enforcement, geographic initiatives, and industrial sectors, all of which should work to the benefit of affected communities.

The Agency has developed an overarching approach focused on establishing common sense principles and procedures for conducting the Agency's business. The Common Sense Initiative is a sweeping effort to work with industry on a sector-by-sector basis to address public health and environmental issues. It brings together communities, environmentalists, industry, States, Tribes, and others to develop cleaner, cheaper, and smarter solutions.

The Strategy has the following five environmental justice mission topics: 1) Public Participation, Accountability, Partnerships, Outreach, and Communication with Stakeholders; 2) Health and Environmental Research; 3) Data Collection, Analysis, and Stakeholder Access to Public Information; 4) American Indian and Indigenous Environmental Protection; and 5) Enforcement, Compliance Assurance, and Regulatory Reviews. The Strategy also contains a final section describing a number of model projects.

IMPLEMENTATION

Accompanying this Strategy will be EPA's Environmental Justice Annual Report which enumerates program and regional projects that are planned or underway consistent with this strategy. EPA Offices and Regions will be expected to update their existing environmental justice strategy or implementation plan to ensure adherence to the Agency guidance outlined in this Strategy. In addition, each Office and Region will be expected to develop mechanisms for stakeholder and community input, interagency/intergovernmental coordination, pilot projects, and real measures of progress. An evaluation of our progress on all these activities will be undertaken and completed by September 30, 1995.

PUBLIC PARTICIPATION, ACCOUNTABILITY, PARTNERSHIPS, OUTREACH, AND COMMUNICATION WITH STAKEHOLDERS

EPA will promote partnerships, outreach, and communication with affected communities, Federal, Tribal, State, and local governments, environmental organizations, academic institutions, non-profit organizations, and business and industry.

IMPORTANCE OF PUBLIC PARTICIPATION, ACCOUNTABILITY, PARTNERSHIPS, OUTREACH, AND COMMUNICATION

A comprehensive approach to identifying and addressing environmental justice concerns requires the early involvement of affected communities and other stakeholders. Additionally, approaches to effectively address environmental justice issues require partnership, the leveraging of resources, and coordination. Most significantly, in efforts to pool all available knowledge, EPA will access and incorporate expertise of local, affected community members throughout this process.

OBJECTIVES FOR PUBLIC PARTICIPATION, ACCOUNTABILITY, PARTNERSHIPS, OUTREACH, AND COMMUNICATION

- 1) ***Outreach and Partnerships:*** To ensure their active public participation and to provide input early in environmental decision-making, EPA will enhance partnerships and coordination with stakeholders, including: affected communities, Federal, Tribal, State, and local governments, environmental organizations, non-profit organizations, academic institutions (including Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), and Tribal Colleges), and business and industry.
 - ◆ EPA will use the National Environmental Justice Advisory Council (NEJAC), along with input from other stakeholders, particularly those from affected communities, early in the decision-making process.
 - ◆ EPA will utilize public participation models, such as the one created by NEJAC, in its partnerships, and outreach and communication activities.
 - ◆ EPA will work to improve environmental education, training opportunities and partnerships with academic institutions, including HBCUs, HSIs, and Tribal

***Public Participation, Accountability, Partnerships,
Outreach and Communication with Stakeholders***

Colleges. EPA will improve communication, education, and outreach on environmental justice issues among all stakeholders.

- ◆ EPA will ensure that public documents and notices related to human health or the environment are concise, understandable to the community involved, and are made readily accessible to the public.
- ◆ Whenever possible and appropriate, EPA will publish public notices for EPA public meetings in languages other than English, in local and minority-oriented newspapers, and through electronic media, including radio and television. EPA will identify a network of translators to assist in conducting public meetings.
- ◆ EPA will ensure mailing lists include Tribal governments and organizations, environmental justice organizations, and other interested stakeholders including schools, civic associations, local business and industry associations, and religious institutions as appropriate.
- ◆ EPA will exchange information and expertise with affected stakeholders.
- ◆ EPA will work to ensure that future legislation will incorporate techniques to improve public participation.

2) *Technical Assistance:* EPA will examine its current technical assistance programs for minority communities and low-income communities.

- ◆ EPA will administer appropriate grant programs for and promote technical assistance to partners particularly small business, community-based organizations, and Tribal governments.

3) *Training:* EPA will encourage State, Tribal, and local governments to work with the Federal government to achieve environmental justice goals through training and other coordinated activities.

- ◆ EPA will incorporate an ongoing orientation and training program for its personnel on environmental justice issues, including those related to public participation, tribal relations, health research, and data gathering. The development of training programs will include input from stakeholders, including grassroots organizations. The training will be tailored to the needs of the Office or Region. Training kits may include: generic information on environmental justice, examples of model initiatives and projects, and public participation guidelines.

***Public Participation, Accountability, Partnerships,
Outreach and Communication with Stakeholders***

- ◆ EPA will offer training assistance to other Federal agencies and Tribal, State, and local officials on environmental justice issues.
 - ◆ EPA will sponsor environmental justice seminars or workshops to focus on media-specific environmental justice activities and case examples.
- 4) ***Management Accountability:*** EPA will strengthen management accountability for environmental justice activities.
- ◆ EPA will reorganize to strengthen leadership and management of environmental justice activities in the Agency.
 - ◆ EPA will develop a system for monitoring and evaluating program improvements resulting from the integration of environmental justice.
 - ◆ Each Office or Region will develop a feedback mechanism for tracking environmental justice activities across the Office or Region, focusing on both major environmental justice projects and routine implementation of the policy by staff.
- 5) ***Public Participation in Facility Siting and Permitting:*** A major priority for the Office of Solid Waste and Emergency Response (OSWER) is to address the siting and permitting of hazardous waste facilities that might have a disproportionately high and adverse human health or environmental effect on minority or low-income communities.
- ◆ OSWER will improve public participation in siting and permitting decisions.
 - ◆ Resolution of these issues is expected to focus on at least two major avenues:
1) early and ongoing public participation in permitting and siting decisions, and
2) active participation in the Agency-wide effort to develop methodologies for defining cumulative risk from multiple sources.

HEALTH AND ENVIRONMENTAL RESEARCH

In coordination with other Federal agencies, EPA will design and conduct environmental and human health research needed to support its environmental justice programs.

IMPORTANCE OF HEALTH AND ENVIRONMENTAL RESEARCH

Human health and environmental research is a cornerstone of informed decision-making to ensure a healthy environment. The main environmental justice objective for EPA's health and environmental research is to improve the scientific basis for decisions by conducting research and related activities to identify and prioritize environmental health risks, as well as pollution prevention opportunities for risk reduction. EPA recognizes that environmental justice issues are multi-disciplinary and that addressing them properly requires coordination with other research organizations and stakeholders.

OBJECTIVES FOR HEALTH AND ENVIRONMENTAL RESEARCH

- 1) **Research Partnerships:** Working with affected stakeholders:
 - ◆ An early EPA priority will be to explore the dimensions of community-led research and to better integrate this model into EPA's research strategy.
 - ◆ EPA will explore through pilot projects the resources and strategies necessary to help train community people to be effective collaborators in the research process. This training will include such things as decision-making processes, research design, questionnaire construction, data collection, and data analysis.
 - ◆ EPA will work with minority communities and low-income communities under study to incorporate, to the extent practicable, their concerns and comments in EPA research design, data analysis, implementation, and information dissemination.
 - ◆ EPA will work with the scientific community to improve health assessments and risk assessments and incorporate environmental justice including socioeconomic issues into its policies and guidance.

Health and Environmental Research

- ◆ EPA will support environmental justice research through (1) competitive grants to researchers examining environmental justice questions and, (2) exchange programs between EPA and non-governmental groups with a shared research agenda.
- ◆ EPA will expand interagency and other intergovernmental partnerships to ensure a coordinated research strategy and the ability to target cross-disciplinary projects in affected communities.

2) **Sound Science:** Working with affected stakeholders, EPA will conduct research in areas where it can make the greatest contribution to environmental justice and in a manner to ensure that the Agency's environmental justice policies are based on sound science.

- ◆ EPA, in coordination with other Federal agencies, will: collect, analyze, and maintain information on fish and/or wildlife subsistence consumption patterns, conduct research, develop methodologies, collect data, and publish guidance on the human health risks and effects associated with the consumption of pollutant-bearing fish, and wildlife. EPA will communicate the risks of those consumption patterns and work to integrate differential consumption patterns of natural resources and exposure patterns into the Agency's regulations, guidance, policies, and other activities.
- ◆ EPA will continue to develop human exposure data and will address exposure in at least three main areas: methods development, model development, and monitoring data.
- ◆ EPA will assess major pollution sources of high environmental risks in communities and support pollution prevention with research, as needed, to reduce risk from those sources.
- ◆ EPA will evaluate the current state of knowledge in exposure and cumulative risk fields, and then identify data gaps and research needs. In particular, research needs to include diverse exposed populations in epidemiological and clinical studies, especially those population segments at high exposure.
- ◆ EPA's risk characterization guidance will help communicate risks by characterizing the most important findings and conclusions. Risk characterization includes the strengths, weaknesses, and assumptions of the risk data and analysis and a comparison to other risks.
- ◆ EPA will work to ensure that future legislation will be responsive to environmental justice health research and data needs.

DATA COLLECTION, ANALYSIS, AND STAKEHOLDER ACCESS TO PUBLIC INFORMATION

EPA's mission of protecting public health and the environment depends on individuals within and outside of the Federal government having access to good data for informed decision-making.

IMPORTANCE OF DATA COLLECTION, ANALYSIS, AND ACCESS

A sound information resource management foundation is vital to the Agency in its ability to provide objective, reliable, and understandable information for our programs and stakeholders. By strategically managing and integrating information, the Agency will better understand environmental justice issues and make better decisions. EPA will work with affected communities, State, Tribal, and local governments, and others to have the best possible information available to identify and address disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.

OBJECTIVES FOR DATA COLLECTION, ANALYSIS, AND ACCESS

- 1) Addressing Data Gaps:** EPA will conduct an inventory of the Agency's major data systems to identify uses, limitations, and gaps.
 - ◆ EPA will work to fill data gaps including those related to pollution prevention in affected communities and those identified by affected communities through interactive needs assessments.
 - ◆ EPA will examine, and expand, as appropriate, its databases to identify major facilities or sites, including Federal and non-Federal facilities or sites (covered by the Executive Order), that could pose a substantial environmental, human health, or economic effect on the surrounding populations.
 - ◆ EPA will coordinate with public health departments and other Federal agencies to improve environmental health and exposure databases.
 - ◆ EPA, in partnership with affected stakeholders, will:
 - ◆ identify methods of combining data and performing analysis for geographical and exposure information, and will publish guidance on how to use these methods to address environmental justice.

Data Collection, Analysis, and Stakeholder Access to Public Information

- ◆ increase the accuracy of its locational data for major facilities or sites of potential toxic releases and environmental quality monitoring points in affected communities.

2) *Improving Quality and Reducing Burdens of Data Reporting:* In partnership with affected stakeholders:

- ◆ EPA, in coordination with other Federal agencies and State, Tribal, and local governments, will work to create effective reporting mechanisms, including electronic reporting, to minimize cumbersome or duplicative reporting requirements and to improve accuracy.
- ◆ EPA will develop key identifiers, assist citizen reporting of key data elements, and facilitate analysis of human health and environmental data.

3) *Data Integration and Analysis:* In partnership with affected communities and stakeholders:

- ◆ EPA will promote the use of Geographical Information Systems (GIS) to enhance identification of disproportionately affected communities.
- ◆ EPA will integrate the Agency's information resource management process linking environmental priorities, data needs, and resource investments.
- ◆ EPA will collect, analyze, and disseminate data that will compare environmental and human health risks to populations identified by race, national origin, or income.

4) *Improving Public Access:* In partnership with affected stakeholders:

- ◆ EPA will work to provide, as appropriate and practicable, direct stakeholder and user involvement in the design, implementation, and evaluation of its information systems.
- ◆ EPA information systems, as appropriate and practicable, will allow two-way communication between the Agency and community information users.
- ◆ EPA will produce educational materials to assist the public in their effective use of EPA data.
- ◆ EPA will make available to the public, information it collects on populations surrounding major facilities or sites.

AMERICAN INDIAN, ALASKA NATIVE, AND INDIGENOUS ENVIRONMENTAL PROTECTION

EPA will work with Federally-recognized Tribal governments, Tribal and indigenous organizations, affected native populations, the Tribal Operations Committee, and the National Environmental Justice Advisory Council to integrate the provisions of the Executive Order into EPA's environmental policies, programs, and activities.

IMPORTANCE OF AMERICAN INDIAN, ALASKA NATIVE, AND INDIGENOUS ENVIRONMENTAL PROTECTION

While other sections of this Strategy specifically include, where appropriate, Federally-recognized Tribal governments and/or indigenous people, this section addresses environmental justice issues that are unique to Federally-recognized Tribal governments, their members, and other indigenous communities. Many initiatives aimed at achieving environmental justice are steps towards achieving more broad public participation and equity in environmental protection for American Indians and indigenous communities. Environmental protection for American Indians, Alaska Native, and indigenous communities is a critical part of the Agency's mission. This is illustrated by the Agency's Indian Policy, the establishment of the Tribal Operations Committee, the creation of the American Indian Advisory Council and the American Indian Environmental Office, and the incorporation of indigenous issues through the National Environmental Justice Advisory Committee and the Office of Environmental Justice.

OBJECTIVES FOR AMERICAN INDIAN, ALASKA NATIVE, AND INDIGENOUS ENVIRONMENTAL PROGRAMS

- ◆ EPA will continue to work with other Federal agencies and Federally-recognized Tribes to effectively protect and improve Tribal health and environmental conditions. These activities will include: providing outreach, education, training, and technical, financial and legal assistance to develop, implement, and maintain comprehensive Tribal environmental programs, which will undertake the remediation of environmental hazards and the development and implementation of Tribal environmental codes and Tribal-EPA Agreements to address Tribal needs, program delegations, and direct Federal implementation.
- ◆ EPA will implement its programs both for American Indians and indigenous communities, recognizing the government-to-government relationship, the Federal Trust responsibility, Tribal sovereignty, treaty-protected rights, other tenets of Federal Indian law, and particular historical and cultural needs of Tribes and indigenous populations. To ensure consistency, the Office of Environmental Justice, the Environmental Justice Coordinators,

American Indian, Alaska Native, and Indigenous Environmental Protection

the American Indian Environmental Office, the Office of Enforcement and Compliance Assurance, and the Indian Coordinators will work closely to coordinate activities.

- ◆ Human health and environmental research and other activities involving Tribal and indigenous environments and communities will take into account the cultural use of natural resources. These activities will seek contributions from Tribal governments and indigenous people in order to incorporate their traditional understandings of, and relationships to, the environment.
- ◆ EPA will work with other Federal agencies, Federally-recognized Tribal governments, and environmental justice advocates to develop appropriate guidance for addressing indigenous grassroots environmental justice issues and encourage public participation processes for environmental protection activities.
- ◆ EPA will work with Tribal governments and indigenous populations to protect and sustain Tribal and indigenous health, environments, and resources.

ENFORCEMENT, COMPLIANCE ASSURANCE, AND REGULATORY REVIEW

EPA will include a focus on environmental justice issues in its enforcement initiatives and through compliance analysis, data analysis, and regulatory review relating to populations covered by the Executive Order. EPA will implement Title VI of the Civil Rights Act and will consider environmental justice issues through the review of and comments on other Federal agencies' proposals and actions under the National Environmental Policy Act and Section 309 of the Clean Air Act.

IMPORTANCE OF ENFORCEMENT, COMPLIANCE ASSURANCE, AND REGULATORY REVIEW

Strong and effective enforcement of environmental and civil rights laws is fundamental to virtually every mission of EPA. The Agency recognizes that conditions affecting covered populations (populations covered in the Executive Order), whether in rural or urban areas, can result from multiple exposures, high-level exposures from a single source, and chronic non-compliance. The pollution comes from diverse sources, including both private and Federal facilities. The Presidential memorandum issued with the Executive Order emphasizes that existing laws, including the National Environmental Policy Act (NEPA) and Title VI of the Civil Rights Act of 1964, provide opportunities for Federal agencies to address environmental hazards in minority communities and low-income communities. The Agency further recognizes that it must, along with its Federal, Tribal, and State partners, work to identify and respond to any regulatory gaps in the protection of covered populations.

OBJECTIVES FOR ENFORCEMENT, COMPLIANCE, AND REGULATION

- 1) ***Strategic Enforcement of Environmental Statutes:*** EPA will incorporate environmental justice concerns into its program for ensuring compliance with Federal environmental requirements at both private and Federal facilities. The Agency will review and revise as needed significant policy and guidance documents to address environmental justice issues. A major feature of this approach will be to ensure that EPA's enforcement and compliance assurance activities include a focus on minority communities and low-income communities which suffer from disproportionately high and adverse human health or environmental effects. EPA will use, as appropriate, the full range of tools available to it to correct noncompliance in such communities. EPA will ensure that Memoranda of Agreement between Headquarters and Regional offices reflect environmental justice activities and will include environmental justice as a specific component of program reviews.

Enforcement, Compliance Assurance, and Regulatory Review

- ◆ EPA will include in its enforcement efforts identification of communities and populations, such as low-income urban and rural populations which suffer from disproportionately high and adverse human health or environmental effects. EPA will work to ensure that inspection and enforcement actions are sufficient to address those effects.
- ◆ EPA's focused efforts will use the most current demographic information (using Geographic Information System mapping techniques), Toxics Release Inventory data, media specific and multi-media data, community reports, and relevant health statistics.
- ◆ EPA will customize its enforcement and compliance assurance program for affected communities to reflect the needs of the community and the particular compliance problems in that community. EPA will also use technical support and assistance as a supplement to traditional enforcement as appropriate.
- ◆ EPA will actively encourage the use of creative approaches to settlement of enforcement actions, particularly where violations have been identified in communities disproportionately impacted by environmental problems (traditionally, many enforcement actions have been resolved by assessing cash penalties and imposing "end of pipe" solutions). Specifically, Regions and States will be encouraged to obtain Supplemental Environmental Projects (SEPS) which promote pollution prevention, remedy environmental damage, and collect adequate monetary fines. The goal of the projects will be to reduce long-term exposures within the affected community.
- ◆ EPA will work with academic institutions, including HBCUs, HSIs, and Tribal Colleges, and other local environmental justice groups to develop an educational program that provides affected communities with information on environmental protection, such as statutory and regulatory matters; citizen rights under Federal and State environmental statutes; whistle-blower protection for employees; the interpretation of data on performance available to the public; and the regulator's role in ensuring compliance.

- 2) ***National Environmental Policy Act (NEPA) and Clean Air Act (CAA) Section 309 Responsibilities:*** Under the authority of NEPA and Sec. 309 of the CAA, EPA will, consistent with regulations and guidelines issued by the President's Council on Environmental Quality, routinely review the environmental effects of major Federal actions significantly affecting the quality of the human environment. For such actions, EPA reviewers will focus on the spatial distribution of human health, social, and economic effects to ensure that agency decisionmakers are aware of the extent to which those impacts fall disproportionately on covered communities.

Enforcement, Compliance Assurance, and Regulatory Review

- ◆ EPA will aid Federal officials in their review of Federal actions as it relates to carrying out its responsibilities under NEPA and CAA Sec. 309.
- ◆ EPA will consider holding workshops and seminars with Sec. 309 reviewers and NEPA coordinators to further explore environmental justice impact analysis methods.

3) *Non-discrimination:* EPA will work to ensure non-discrimination in the development and implementation of environmental protection programs.

- ◆ EPA will improve its implementation of requirements of Title VI of the Civil Rights Act of 1964 (Title VI) by issuing guidance, and conducting oversight for State and local recipients of EPA funding.
- ◆ EPA will develop guidance on the requirements of Title VI for carrying out Federally-authorized State permitting programs under the Clean Air Act, Clean Water Act, and the Resource Conservation and Recovery Act.
- ◆ EPA will work to develop case referral guidance, training materials on environmental justice and Title VI, and materials on Title VI compliance reviews.
- ◆ EPA will develop guidance on non-discrimination responsibilities of the Agency under the Executive Order.

4) *Regulatory Review:* EPA will work to ensure that environmental justice is incorporated into the Agency's regulatory process.

- ◆ EPA will complete its Regulatory Impact Analysis Guidance. This will provide the Agency guidance on ways to incorporate environmental justice into its regulatory development process.
- ◆ A cross-Agency work group on grants and environmental justice will examine options for incorporating environmental justice into EPA's grant programs to adequately reach minority populations and low-income populations and make recommendations to the Steering Committee on implementation.
- ◆ EPA will work with other Federal agencies and State, Tribal, and local governments to address environmental problems involving jurisdictional disputes or gaps in environmental laws.
- ◆ EPA will work to address cross-border pollution.

ENVIRONMENTAL JUSTICE MODEL PROJECTS

INTRODUCTION

In its recommendations to EPA, the NEJAC strongly supported the use of model or pilot projects to generate opportunities and examples for grassroots communities, government agencies, and business to address environmental justice concerns. Many EPA Offices and Regions have distinguished themselves in this area by creating model projects that reflect a "re-invented" way of doing business. The following are samples of these projects. For a complete list of projects, please contact the Office of Environmental Justice.

BROWNFIELDS ECONOMIC REDEVELOPMENT PILOTS

EPA, in partnership with the Departments of Housing and Urban Development, Labor, Energy and Commerce's Energy Development Agency, are working to leverage and coordinate federal resources promoting job training, economic development and community empowerment at local Brownfields sites. EPA has launched a major initiative to encourage cleanup and revitalization of idled, abandoned or underused industrial or commercial facilities where opportunities for expansion or redevelopment are complicated by existing or potential environmental contamination. OSWER will establish approximately 50 demonstration projects that will lead to the assessment and cleanup of these "Brownfields," and is also making several administrative changes which can be made to facilitate cleanup and redevelopment without lowering cleanup standards (e.g., endorsing State voluntary cleanup programs, deleting 25,000 sites from the Superfund Inventory that are of no current Federal interest, clarifying liability concerns, and developing soil screening levels).

The Brownfields Pilots will encourage community groups, investors, lenders, developers, and other affected parties to address how these lands can be redeveloped and bring jobs and vitality back to our nation's older industrial and commercial communities. The Brownfields Projects will explore ways in which cleanup for redevelopment might work, providing a series of models for States and localities struggling with such efforts. Findings and experience from these pilots will serve as a foundation for a national EPA strategy to stimulate economic redevelopment through environmental cleanup. The strategy will provide guidance on successful processes for cleaning up and returning contaminated, abandoned industrial Brownfields to productive use.

In all of these economic redevelopment activities, OSWER is seeking ways to improve communications, develop trust and involve the affected communities. For example, the NEJAC Waste and Facility Siting Subcommittee is co-sponsoring a series of public forums to ensure that

environmental justice concerns are fully incorporated into economic redevelopment and revitalization projects. OSWER and the Regions are also exploring the creation of business and industry, stakeholder and other types of public/private partnerships to address environmental justice concerns.

PUBLIC HEALTH PILOT ACTIVITIES

OSWER has initiated pilots in partnership with the Health and Human Service Departments to respond to health concerns of communities living near hazardous waste sites. The Superfund Medical Assistance Work Group (SMAWG) was established and developed the Medical Assistance Plan (MAP). MAP, consisting of six elements which will vary according to a community's need for assistance and the availability of resources, will be implemented in phases. The first phase will assess the health care needs and concerns of the community and evaluate the primary care capacities in that community. The second phase consists of five components, including technical assistance to local agencies and health care providers; environmental health education for health care providers; medical testing for residents assessing any health effects possibly related to hazardous substance exposure; referral to specialty clinics or specialists; and medical follow-up of persons with documented exposures to hazardous substances or with adverse health conditions related to possible exposures.

SOUTHEAST CHICAGO ENVIRONMENTAL INITIATIVE

Southeast Chicago is a mosaic of predominately poor or working class, African-American, Hispanic, and white neighborhoods. It is an area of high structural unemployment and multiple environmental problems, including a concentration of disposal sites, countless urban Brownfields, and heavy industries. Located within Southeast Chicago is Altgeld Gardens, a public housing community for thousands of low-income African-Americans and is surrounded by a number of polluting facilities--landfills, incinerators, oil refineries, a paint factory, a steel mill, a sewage treatment plant, a chemical plant, a scrap metal yard, a lagoon, a sludge drying bed, and a freeway. This community has a high concentration of severe environmental problems and concerns.

EPA Region 5 developed the Southeast Chicago Urban Environmental Initiative Action Plan, a framework to improve the environmental conditions of the community. This unique partnership hopes to bring together representatives of the government, industry, community, and environmental groups. Agencies and actions targeted include:

- ◆ The Agency for Toxic Substances and Disease Registry (ATSDR) is conducting health assessments of the Southeast Chicago community;

- ◆ The Department of Housing and Urban Development is developing residential lead-based paint removal projects and other environmental improvements; and,
- ◆ EPA, Chicago's Department of Environment, and the Illinois Environmental Protection Agency are working together to ensure tougher enforcement and compliance of existing environmental regulations.

MISSISSIPPI DELTA PROJECT

The Mississippi Delta area has a high concentration of transportation routes, heavy and petrochemical industries, waste sites, and other facilities. Environmental justice organizations have complained that many of these facilities are sited close to minority communities and that these communities are disproportionately exposed to environmental pollution. An interagency steering committee comprised of ATSDR, the Center of Disease Control (CDC), Occupational Safety and Health Administration (OSHA), EPA, and the State Health and Environmental departments is working to address these issues.

The goal of this interagency project is to reduce environmental hazards and to prevent them from adversely affecting minority populations and low-income populations residing in the highly industrialized areas along the Mississippi River. This project covers 219 counties in seven States (Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee), affecting more than 8.3 million people. The project is designed to: (1) identify the key environmental hazards that might affect high risk communities; (2) evaluate the public health impact on high exposure populations; (3) increase health care delivery services in the region, including capacity of State and local health departments to address public health associated with environmental exposures; and (4) engage HBCUs and other academic institutions to help increase environmental awareness in these communities. This project represents the largest, geographic-specific public health initiative ever attempted to study the association between hazardous environmental exposure and health effects in minority communities and low-income communities.

NEW MEXICO AND TEXAS COLONIAS BORDER PROJECTS

Colonias are Hispanic rural neighborhoods and unincorporated subdivisions in or near cities in Texas, New Mexico, Arizona, and California along the U.S.-Mexico border. Between Texas and New Mexico there are about 1,200 colonias with an estimated population of 300,000 people. Colonias are characterized by substandard housing, inadequate plumbing and sewage disposal systems, and inadequate access to clean water. The common thread is the

Environmental Justice Model Projects

potential and immediate health threat due to inadequate or lack of safe potable water and sewage disposal.

Under recent grants from New Mexico, nine facility plans and four construction design plans are nearing completion for the thirteen new wastewater collection and treatment systems to serve colonias in New Mexico. This grant program, administered by the New Mexico Environment Department, is made possible through a grant by EPA Region 6.

The Texas Natural Resources Conservation Commission has awarded fifteen grants to provide waste water collection and treatment systems in Texas Colonias. These projects will affect 64,000 colonias residents. Additional facility plans are being prepared for six colonias which have received grants for innovative/alternative methods of wastewater collection and treatment. These six projects are designed to identify low cost methods of wastewater treatment for colonia application.

PENNSYLVANIA RISK AND ENFORCEMENT PROJECTS

The City of Chester has among the highest concentration of industrial facilities in Pennsylvania. Chester hosts a number of waste processing plants and two oil refineries. All solid waste from Delaware County is incinerated in Chester and at least 85 % of raw sewage and associated sludge is treated there. A large infectious medical waste facility was also recently sited in Chester. Many of the plants are located in close proximity to low-income, minority residential neighborhoods. In fact, a clustering of waste treatment facilities have been permitted within 100 feet of over 200 Chester homes.

Chester residents are concerned about the health effects of living and working amid toxic substances and complain of frequent illness. Of cities in the State, Chester has the highest infant mortality rate, the lowest birth rate, and among the highest death rate due to certain malignant tumors.

In response to the Chester community concerns, EPA Region 3 has committed to a major initiative involving two studies addressing environmental regulatory and pollutant impact/risk exposure issues. The first was a 30-day study of EPA's legal authority for existing and proposed facilities in the Chester area. As a result of the 30-Day Study, the Region has focused enforcement actions and just recently issued field citations to a number of underground storage tanks located in Chester and the nearby area of Marcus Hook. Other focused enforcement-related activities are proceeding in air toxics reduction and compliance, innovative settlements for toxic emissions violators, and multi-media compliance reviews.

In addition, an 180-day study, conducted by a team of toxicologists working with State and local officials is assessing all available environmental media and human exposure

pathways. Work products will be displayed through a Regional Geographic Information System overlaying industrial facilities data, NPL sites and small quantity waste generators, and air emissions data.

BALTIMORE URBAN ENVIRONMENTAL INITIATIVE

The Baltimore Urban Environmental Initiative (URI) is an interagency activity being conducted by Region 3 in cooperation with the City of Baltimore and the Maryland Department of the Environment. The URI is designed to identify and rank areas of disproportionate risk in Baltimore City for purposes of implementing risk reduction, pollution prevention, public awareness, and other appropriate environmental activities to minimize risks. The Baltimore URI has both short- and long-term tracks. The short-term efforts address issues of immediate concern as well as initial data collection, data analyses, and project planning. The long-term effects will be expanded in areas that warrant continued action.

A project development and problem identification report for the URI will describe the data gathering and risk identification and characterization efforts in support of the overall Initiative. Data has been gathered from a number of existing environmental and demographics-based databases in order to identify and evaluate human health and ecological threats for purposes of targeting risk reduction/prevention activities. Quantitative and qualitative risk assessment methods have been applied and displayed through the use of a Geographic Information System.

The short-term efforts, based upon preliminary risk analyses, applied the knowledge and experience of an interagency team to jointly target areas of environmental concern that could benefit from immediate action. The six areas of concern identified were: 1) lead; 2) hazardous materials incident; 3) fish consumption/toxics in the Harbor; 4) air toxics; 5) ground-level ozone; and 6) indoor air and radon. Individual action teams were formed to address each issue. These teams were responsible for developing action agendas to address the overall goals of risk reduction, pollution prevention, and outreach and education, for each risk area.

LEAD ABATEMENT TRAINING AND EMPLOYMENT OPPORTUNITIES FOR THE INNER CITY COMMUNITY

EPA, the Commonwealth of Massachusetts, the city of Boston, and Roxbury Community College, joined by local community groups, have undertaken a pilot project to train unemployed workers in a minority community to remove harmful lead paint from homes and bridges, and provide specialized training so that minority contractors can gain access to State and city lead paint abatement contracts. Eighty-five percent of Boston's 230,000 public housing units contain lead-based paint and less than 2% have been abated to date. The current workforce of 21 minority contracting firms is limited; this project closes the gap between trained workers and contract workers.

Boston's Office of Public Facilities received a \$3.5 million grant from the U.S. Department of Housing and Urban Development (HUD) to do lead abatement of 400,000 housing units. Massachusetts Housing Finance Agency will invest \$2.5 million to de-lead 2,000 housing units in Boston. In addition, this pilot project will also build the management capacity of struggling minority firms to support bonding, insurance, and equipment expenditures necessary to compete on large lead abatement contracts.

COMMUNITY CHEMICAL EMERGENCY PREPAREDNESS AND PREVENTION OUTREACH AND TRAINING

Kellog, Idaho, is one of the communities within the Bunker Hill Superfund site boundaries. Once a mining/smeltering industry town, the area now faces a multi-million dollar cleanup effort. This primarily blue collar community must also confront a 25% unemployment rate. Citizens were concerned that despite an increase in local employment opportunities, jobs are not being filled locally. Contractors were encouraged by EPA to hire locally, but most local individuals had not completed the 40-hour health and safety training required for employment at cleanup sites.

The Region 10 Superfund Site Response Section is piloting a program which conducts hazardous waste health and safety training for communities with nearby cleanup sites. In 1993 and 1994, Region 10's training targeted communities with high unemployment rates, with the goal of aiding the local workers' eligibility for employment by cleanup contractors at nearby Superfund sites. For example, 90 people in Kellog, Idaho, were trained and certified, making them eligible for employment at the nearby Bunker Hill Superfund Site. The project's success was in addressing the unemployment rate and in providing local education and awareness training.

Training was also conducted for the Makah tribe at Neah Bay, the Coeur d'Alene tribe, and for Galena, Alaska (an Alaska Native Village). Operational level emergency response training was conducted in Fairbanks, Alaska for the Tanana Chiefs Council. Future training efforts will include Tok, Alaska and other communities that request training as a method for becoming integrated into nearby clean-up efforts.

WATER PROJECTS FOR RURAL COMMUNITIES

EPA's Office of Water, in partnership with the Office of Environmental Justice, is sponsoring a series of 14 projects around the country to address the pressing water and wastewater needs of underserved rural minority communities. EPA is working with the Rural Community Assistance Program (RCAP), which is responsible for the actual implementation of the projects. The overall goal of the effort is to demonstrate effective approaches for providing essential water and wastewater services to selected African American, Hispanic, and Tribal communities.

Each project will last approximately one year. During this period, RCAP field offices will take various steps to address the specific needs of these communities. Some of the services provided by RCAP include training and education on properly operating and maintaining alternative wastewater and water treatment systems, identifying affordable treatment options for these communities, and helping communities access affordable sources of funding. This initiative targets underserved, rural, and Tribal communities.

LOUISIANA ENVIRONMENTAL JUSTICE PROGRAM

Louisiana is one of the first States to set up a formal environmental justice program to address its wide-ranging environmental issues. The Louisiana Department of Environmental Quality (LDEQ) implemented an Environmental Justice Program under a grant from EPA Region 6. Fact-finding public hearings are being used to serve as a forum for discussion and resolution of local environmental justice issues. The Department hired a full-time coordinator to establish Environmental Justice Advisory Panels comprised of community and industry representatives.

In the first year of the program, the State hosted public meetings and built the foundation of an environmental justice program within the Louisiana Department of Environmental Quality. A follow-up grant was given to LDEQ to continue the environmental justice work with formation of community advisory boards (environmental justice panels) in key pilot parishes around the State.

OPEN AIRWAYS FOR SCHOOLS

According to recent statistics from the American Lung Association (ALA), asthma deaths in urban minority children have increased 30 % over a ten-year period. While the reasons for this increase are many, indoor air pollutants are among the leading factors. To address this problem, the Office of Air and Radiation in partnership with the American Lung Association and Zeta Phi Beta (a national women of color sorority) have launched a model school-based asthma health education program for children with asthma, their parents, and their teachers.

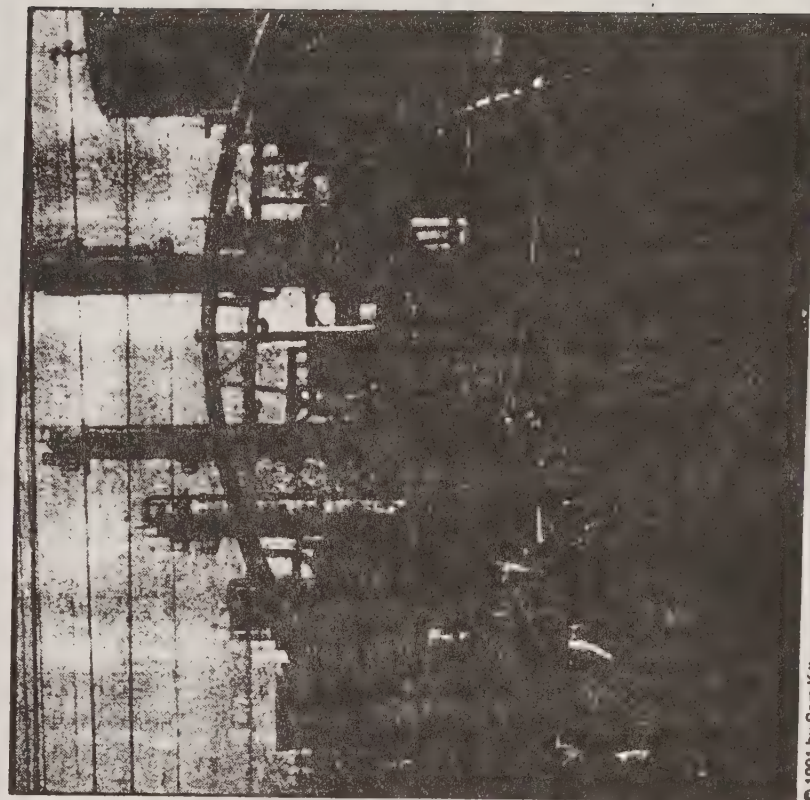
The program, called Open Airways for Schools, focuses on developing asthma management skills for students, helping parents and teachers create more supportive environments for asthmatic children and developing activities to reduce indoor pollutants. This partnership between EPA, ALA, and Zeta Phi Beta sorority will impact millions of urban, poor households with asthmatic children.

MASTER HOME ENVIRONMENTALIST PROGRAM

Region 10, in conjunction with the City of Seattle and the YMCA, has established a Master Home Environmental Program which is designed to reduce exposures from toxic materials and pollutants in the home. The focus is on indoor pollutants including lead, contaminated soil, toxics, in-house dust, hazardous household chemicals and pollutants from smoke and tobacco products. A group of Seattle Health Department nurses is working with low-income families in the Women, Infants, and Children (WIC) program to provide them with information on home toxics and lead. The program targets communities with higher populations of minority and low-income residents and relies on volunteers, many from the targeted communities. Volunteers who successfully complete the training present this information to community groups and organizations, and assist people in implementing a survey of pollution problems in their homes.



The Environmental Justice Hotline 1-800-962-6215



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What Is Environmental Justice?

Environmental Justice means all people should be treated fairly under environmental laws without discrimination based on race, ethnicity, culture or economic status.

In 1992, the U.S. Environmental Protection Agency (EPA) created the Office of Environmental Justice (OEJ) to examine the environmental problems faced by people of color and/or low-income populations.

EPA's Environmental Justice Program was established for the fair implementation of environmental laws, as well as correct past injustices.

Why Should I Be Concerned About Environmental Justice?

Studies document that people of color and/or low-income populations are exposed to higher levels of environmental pollutants than the general public. Race and socioeconomic status correlate with unequal distribution of air pollution, pesticide exposure, childhood lead poisoning, location of contaminated sites, contaminated fish consumption, and possible exposure to toxins at work.

What Is The Environmental Justice Hotline?

The Environmental Justice Hotline is an easily accessible source of assistance on environmental justice issues. As the level of concern regarding issues of environmental justice has grown, so has the amount of information on the subject. It is the purpose of the Hotline to make this information available to the public, and to assist in the resolution of environmental justice issues.

What Type Of Assistance Will I (My Community) Receive From The Hotline?

Staff members will be able to assist you in the following ways:

- Answer many of your questions over the phone;
- Mail information about environmental justice to you, free of charge;
- Give some technical support to communities trying to reduce sources of risk to their community;
- Supply information on Federal and state legislation dealing with environmental justice;
- Refer you to the appropriate government agency or community organization to help you deal with your problem and/or questions.

How Do I Contact The Environmental Justice Office?

You may call our toll-free Environmental Justice Hotline: **1-800-962-6215** to speak with a member of our staff. Call Monday through Friday, 9:00 AM to 5:00 PM, eastern time.

Our address is:

U.S. Environmental Protection Agency
Office of Environmental Justice
401 M Street, SW (3103)
Washington, D.C. 20460

Regional Justice Coordinators: See back page for addresses.



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Office of Environmental Justice

EPA Environmental Justice Fact Sheet

Environmental Justice at EPA

ESTABLISHING AN INFRASTRUCTURE. In 1992, EPA created the Office of Environmental Justice to coordinate the Agency's effort to address environmental justice issues. Since that time the Administrator has made environmental justice one of the Agency's top priorities and has "... embarked on a mission to develop a new system of environmental protection: one that builds on the strengths of the past 25 years but overcomes the deficiencies of the past, one that works community by community to prevent pollution, rather than wait to clean it up after the fact." To do this EPA created a strong infrastructure to integrate environmental justice into EPA's policies, programs and activities. As a first step each region and headquarters office was asked to appoint an Environmental Justice Coordinator (see attached list of EJ Contacts) to serve as front-line staff specifically responsible for ensuring that environmental justice is included in policy input, program development, and implementation; the Policy Working Group, a group of high level policy staff, was formed to ensure that cross-media policy development and coordination occurs at all levels; and the Executive Steering Committee, senior managers at EPA, was established to provide leadership and direction on strategic planning to ensure that environmental justice is incorporated into Agency operations. A time line of the Major Environmental Justice Events is attached. Complete and return the attached mailing list form to be placed on the Environmental Justice Mailing List for announcements.

EXECUTIVE ORDER 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" was signed February 11, 1994, to focus federal attention on the environmental and human health conditions of minority populations and low-income populations with the goal of achieving environmental protection for all communities. The Order directed federal agencies to develop environmental justice strategies. The Order established an Interagency Working Group (IWG) chaired by EPA and comprised of the heads of eleven departments/agencies and several White House offices. These include the EPA, the Departments of Justice, Defense, Energy, Labor, Interior, Transportation, Agriculture, Housing and Urban Development, Commerce, and Health and Human Services, the Council on Environmental Quality, the Office of Management and Budget, the Office of Science and Technology Policy, the Domestic Policy Council, and the Council of Economic Advisors. Strategic plans may be obtained by calling 513-489-8190.

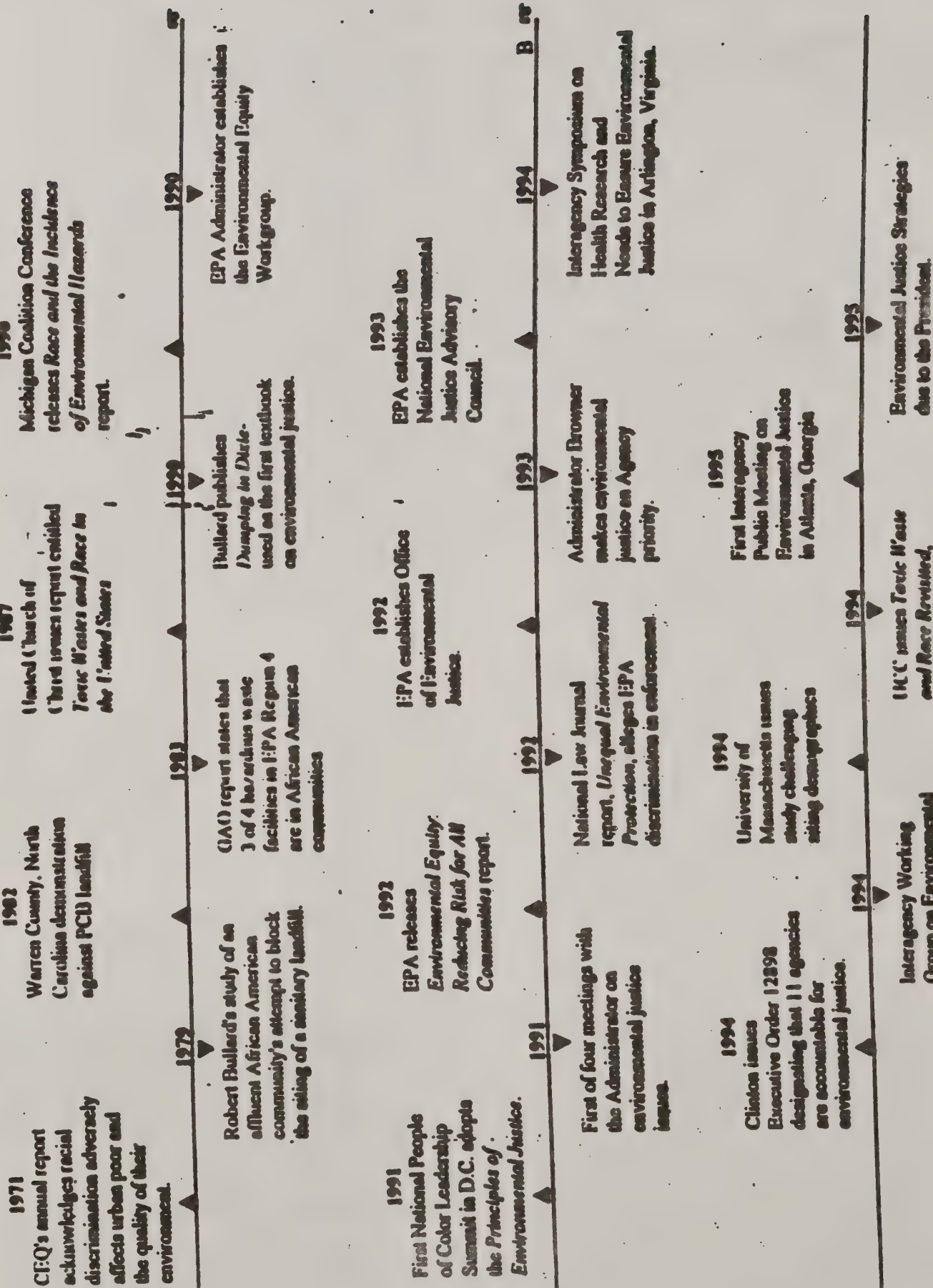
OBTAINING STAKEHOLDER ADVICE. To ensure that the Agency receives significant input from affected stakeholders, the National Environmental Justice Advisory Council (NEJAC), a Federal Advisory Committee, was established. The NEJAC is comprised of 25 members and six sub-committees with 5-10 additional members each, all appointed from key environmental justice constituencies. The purpose of this group is to provide consensus advice on a variety of documents, which include the Agency's environmental justice agenda, the Environmental Justice Strategic Plan, the Environmental Justice Annual Report, and other Agency materials. The NEJAC meets 2-3 times a year throughout the country to receive comments from local citizens and community groups on the state of the environment in local areas.

INTERNS. For the past three years, EPA has sponsored a summer intern program with the express desire to encourage students to pursue an environmental career. The internships, which are limited to six months duration, formalize training and provide "hands-on" experience for students. Students must be registered at a university to participate. Last year 120 students interned at EPA facilities across the country; this year more than 200 students are training at headquarters, regional offices and laboratories.

COMMUNITY GRANTS. Two grant programs assist communities and tribal governments in addressing local environmental concerns. A small grants to communities program awarded 64 grants of not more than \$10,000 each in 1994 and 170 grants of \$20,000 or less in 1995. The second program is limited to partnerships between communities and universities. The partnerships must be formal agreements between a university and at least one socio-economically disadvantaged community, which is adversely impacted by an environmental hazard. These initiatives increase environmental awareness, expand outreach, and provide training and education to resolve environmental problems such as exposure to environmental pollutants.

For Current Activities Call 1-800-962-6215

MAJOR EVENTS OF THE ENVIRONMENTAL JUSTICE MOVEMENT



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Oficina de Justicia Ambiental (OJA)

EPA Boletín Informativo de Justicia Ambiental

OFICINA DE JUSTICIA AMBIENTAL

En el 1992, la Agencia de Protección Ambiental [(EPA) siglas en inglés] creó la Oficina de Justicia Ambiental (OJA) para coordinar los esfuerzos de la Agencia en señalar los asuntos de justicia ambiental.

ORDEN EJECUTIVA PRESIDENCIAL DE JUSTICIA AMBIENTAL

El Presidente Clinton firmó el 11 de febrero de 1994 la Orden Ejecutiva 12898, comprometiéndolo al Gobierno Federal con los principios de Justicia Ambiental. La Orden dirige a las Agencias Federales a incorporar justicia ambiental como parte de su misión general, identificando y señalando, lo altamente desproporcionado y lo adverso en la salud humana y en todo el efecto de sus programas, las políticas públicas, y actividades en poblaciones minoritarias y poblaciones de bajo ingreso. La Orden también establece un Grupo de Trabajo Interagencial para: a) proveer dirección a las Agencias para que identifiquen los problemas de justicia ambiental; b) trabajar con las Agencias para desarrollar estrategias de justicia ambiental; c) coordinar las investigaciones de salud de justicia ambiental, reunir información disponible, y hacer análisis; d) desarrollar modelos interagenciales de los proyectos de justicia ambiental; y e) tener reuniones públicas. El 11 de abril de 1995 el Grupo de Trabajo preparó su primer informe al Presidente, el cual describe cómo se está implementando la Orden.

TRAZANDO UN PLAN DE ESTRATEGIA

Según la dirección de la Orden Ejecutiva, la EPA y doce otras agencias han desarrollado sus estrategias de justicia ambiental. Como parte de presentar la dirección Estratégica, los líderes de la EPA identificaron y endosaron a la justicia ambiental como un principio que guía el reeditar el pasado, aliviar las existentes inequidades, y expandir la calidad de futuras generaciones. Como parte del desarrollo del esfuerzo estratégico, la EPA ha iniciado una revisión de los programas de la Agencias, las políticas públicas, los procesos de participación pública, el cumplimiento de la ley, y los poderes normativos que son relacionados con la justicia ambiental y que necesitan ser

modificados para cumplir con la intención de la Orden Ejecutiva. La infraestructura establecida por la Agencia el año anterior apoya el desarrollo de la Estrategia y asegura la incorporación de las preocupaciones de justicia ambiental en los programas de la EPA, incluyendo el programa y planificación de presupuesto, planificación de recursos a largo plazo y seguimiento de resultados.

OBTENIENDO CONSEJO DE LOS INTERESADOS

Para asegurar que la Agencia recibe insumo significativo de los interesados afectados, la Administradora Browner constituyó el Consejo Federal en Justicia Ambiental (NEJAC, siglas en inglés) bajo el Acta Federal del Comité de Consejo de julio del 1993 (FACA, siglas en inglés). El NEJAC provee consejo independiente a la EPA en todo asunto relacionado a la justicia ambiental. El Consejo consiste de 25 miembros designados por constituyentes claves en justicia ambiental: grupos de comunidad de base; industria y negocio; academia e instituciones educativas; estado, tribus, y agencias de gobierno local; organizaciones no-gubernamental; y grupos ambientales. El Consejo tiene cuatro subcomités organizados para ayudar a desarrollar alternativas estratégicas para la EPA. Las áreas de los subtemas de los subcomités son: desperdicios y facilidades; aplicación de la ley; salud e investigación; participación pública y contabilidad. El Consejo y cada uno de sus subcomités tiene un empleado de la EPA como un miembro que sirve en la capacidad de Oficial Federal Designado (DFO, siglas en inglés). El DFO asegura que el grupo opera dentro de las restricciones del capítulo del Consejo.

LINEA DE ENLACE AMBIENTAL (1-800-962-6215)

La Línea de Enlace Ambiental fue establecida para recibir llamadas de ciudadanos preocupados con asuntos de justicia en sus comunidades. El propósito de la Línea de Enlace Ambiental es asegurar que toda información esté disponible al público, a funcionarios del gobierno, y medios de comunicación social y apoyar en la resolución de asuntos de justicia ambiental. El número de teléfono es 1-800-

962-6215. La Línea de Enlace Ambiental es atendida por un empleado de nuestra oficina. Se ha establecido un procedimiento para asegurar continuidad sobre el asunto de la llamada. Tenemos disponible un folleto descriptivo de la Línea de Enlace (en ambos idiomas Español e Inglés).

CENTRO DE DISTRIBUCION DE INFORMACION PARA JUSTICIA AMBIENTAL

La Oficina de Justicia Ambiental ha establecido un repositorio de papeles, libros, y artículos relacionados con Justicia Ambiental. Una bibliografía de materiales y organizaciones como recurso están disponible.

PROGRAMA DE VERANO PARA INTERNOS

La EPA ha iniciado varios programas ambientales que formalizan el entrenamiento y proveen experiencia de "intervención" para los estudiantes del nivel universitario. Dos ejemplos son: 1) Veinti-tres estudiantes de bachillerato universitario de la Universidad de Morgan fueron asignados a proyectos de la EPA para el verano; 2) Un acuerdo cooperativo fue iniciado con la Organización de Carrera Ambiental (ECO, siglas en inglés) para ayudar la Agencia atraer 250 internos de verano en 1994 para trabajar en varios localizaciones de la EPA alrededor del país. Estos estudiantes provienen de los Colegios y Universidades Históricamente Africano-Americana. Instituciones Sirviendo al Hispano y de los Colegios de Tribus fueron seleccionados para entrenarse en protección ambiental. Estos acuerdos permiten experiencia profesional a los estudiantes y crean un interés en hacer carreras en el campo ambiental; resultando en una fuerza de trabajo más diversa con conocimiento del ambiente.

PROGRAMA FEDERAL DE CONCESIONES

La Oficina de Justicia Ambiental estableció el "Programa de Concesiones en el Año Fiscal/Económico 1994 para proveer asistencia financiera a las comunidades de bases/organizaciones de barrios y gobierno de tribus y señalar preocupaciones de justicia ambiental a nivel local. OJA presupuestó \$500 mil, para concesiones de hasta \$10,000 cada una, con \$50,000 asignados a cada una de las diez oficinas regionales donde ellas hacen la selección y aprobación de fondos. La Agencia recibió 250 solicitudes y premió 71 concesiones. Para el Año Fiscal 1995 el programa fue aumentado a \$3 millones de dólares, con un máximo individual de \$20 mil por concesión. El periodo de la solicitud cerró en febrero y las otorgaciones se esperan ser anunciada tarde en éste verano. OJA espera publicar la notificación de solicitud de aplicación

para el Año Fiscal 1996 en octubre del 1995.

COORDINADORES REGIONALES DE JUSTICIA Cada oficina regional de la Agencia tiene un coordinador de Justicia Ambiental el cual puede ofrecer ayuda e información:

Región 1 (ME, VT, NH, MA, CN, RI)
James Younger
One Congress Street
Boston, MA 02203
Phone: 617/565-3403

Región 2 (NY, NJ, PR, VI)
Melva Hayden
290 Broadway, 25th Floor
New York, NY 10007
Phone: 212/637-5024

Región 3 (MD, DE, WV, VA, PA, DC)
Reginald Harris
841 Chestnut Building
Philadelphia, PA 19107
Phone: 215/597-6529

Región 4 (AL, FL, GA, KY, MS, NC, SC, TN)
Vivian Malone-Jones
345 Courtland Street, NE
Atlanta, GA 30365
Phone: 404/347-3555 ext. 6764

Región 5 (IL, IN, MI, MN, OH, WI)
Gina Rosario (HM-7J)
77 West Jackson Boulevard
Chicago, IL 60604-3507
Phone: 312/353-4716

Región 6 (AR, LA, NM, OK, TX)
Lynda Carroll
1445 Ross Ave, Suite 1200
Dallas, TX 75202-2733
Teléfono: 214/665-7200

Región 7 (IA, KS, MO, NB)
Rupert Thomas
726 Minnesota Avenue
Kansas City, KS 66101
Teléfono: 913/551-7282

Región 8 (CO, MT, ND, SD, UT, WY)
Mel McCottry
999 18th Street, Suite 500
Denver, CO 80202-2405
Teléfono: 303/293-1645

Región 9 (CA, AZ, HI, NV, GM, A.S.)
Lori Lewis
75 Hawthorne Street
San Francisco, CA 94105
Teléfono: 415/744-1561

Región 10 (AK, ID, OR, WA)
Joyce Crosson-Kelly
1200 Sixth Avenue
Seattle, WA 98101
Teléfono 206/553-4029

To Learn More:

Call the Office to be placed on the mailing list for the Environmental Justice Update Memo or to find out who your Regional justice contact is.

**Office of
Environmental Justice:** (202) 260-6357

**Toll-free number
for concerned citizens:** 1-800-962-6215

Our address is:

U.S. Environmental Protection Agency
Office of Environmental Justice
401 M Street, SW (3103)
Washington, D.C. 20460

For more information contact the regional coordinators for your state.

U.S. EPA - Region 1

John F. Kennedy Federal Bldg
One Congress Street
Boston, MA 02203
Phone (617) 565-3420
(Connecticut, Maine,
Massachusetts, New Hampshire,
Rhode Island, Vermont)

U.S. EPA - Region 2

Jacob K. Javitz Federal Bldg
26 Federal Plaza
New York, NY 10278
Phone (212) 264-2301
(New Jersey, New York, Puerto
Rico, Virgin Islands)

U.S. EPA - Region 3

841 Chestnut Building
Philadelphia, PA 19107
Phone (215) 597-6529
(Delaware, District of Columbia,
Maryland, Pennsylvania, Virginia,
West Virginia)

U.S. EPA - Region 4

345 Courtland Street, NE
Atlanta, GA 30365
Phone (404) 347-7900
(Alabama, Florida, Georgia,
Kentucky, Mississippi, North
Carolina, South Carolina,
Tennessee)

U.S. EPA - Region 5

77 West Jackson Boulevard
Chicago, IL 60604
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(Illinois, Indiana, Michigan,
Minnesota, Ohio, Wisconsin)

U.S. EPA - Region 6

First Interstate Bank Tower
at Fountain Place 1445 Ross
Avenue, 12th Floor, Suite 1200
Dallas, TX 75202-2733
Phone (214) 655-6444
(Arkansas, Louisiana,
New Mexico, Oklahoma, Texas)

U.S. EPA - Region 7

726 Minnesota Avenue
Kansas City, KS 66101
Phone (913) 551-7282
(Iowa, Kansas, Missouri,
Nebraska)

U.S. EPA - Region 8

999 18th Street, Suite 500
Denver, CO 80202-2405
Phone (303) 294-1982
(Colorado, Montana, North
Dakota, South Dakota, Utah,
Wyoming)

U.S. EPA - Region 9

75 Hawthorne Street
San Francisco, CA 94105
Phone (415) 744-1561
(Arizona, California, Hawaii,
Nevada, American Samoa,
Guam)

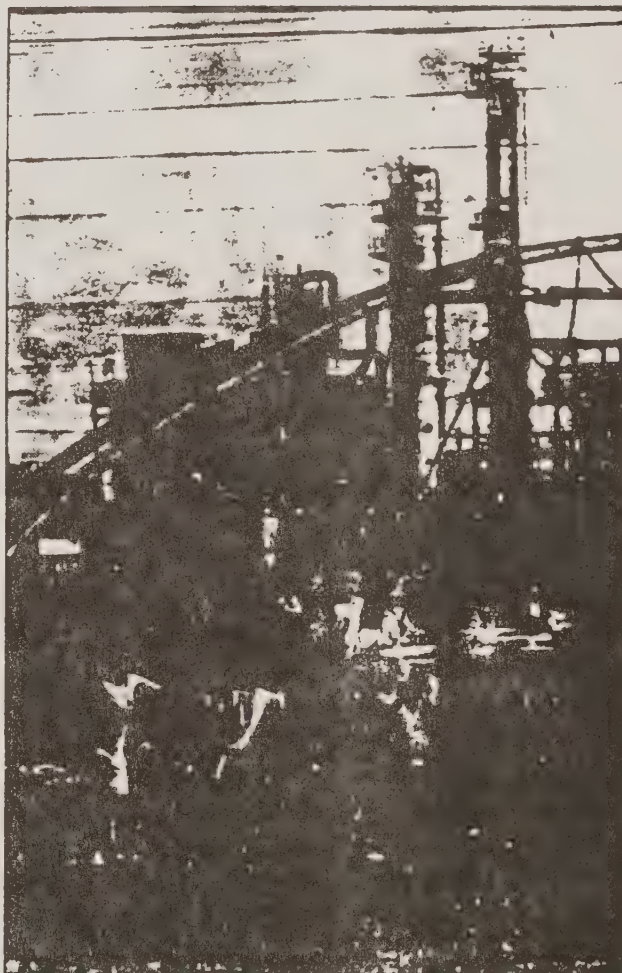
U.S. EPA - Region 10

1200 Sixth Avenue
Seattle, WA 98101
Phone (206) 553-4029
(Alaska, Idaho, Oregon,
Washington)



Serving A Diverse Society

EPA's Role In Environmental Justice



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What Is Environmental Justice?

Environmental justice means that all people have an opportunity to live in a healthy environment. All people should be able to breathe clean air, drink clean water and consume uncontaminated foods.

Unfortunately, today, this is still a goal. **Historically, the poor, immigrants, minorities, and some city dwellers have lived in polluted and less desirable areas.** However, awareness and concern about inequities in the distribution of environmental hazards are increasing. Some examples of environmental inequities are:

Lead. Low income, African American children, particularly low income groups, consistently have higher than normal levels of lead in their blood. The primary pathway for this exposure is from ingestion of paint containing lead, often found in older housing. Almost two thirds of American housing units were built before 1970. Although the use of lead paint for houses was banned in the 1970s, older homes often contain paint with high concentrations of lead, lead in water from pipes and fixtures, and lead in dust and soils.

Waste Sites. Low income, quite often minorities, are more likely than other groups to live near landfills, incinerators, and hazardous waste treatment facilities. Recent studies have found that the proportion of people of color in communities which have a commercial hazardous waste facility is approximately double that in communities without such facilities.

Air Pollution. In 1990, 437 of the 3,109 counties and independent cities in the U.S., failed to meet at least one of EPA's ambient air quality standards. Many Americans live in these communities: 57 percent of all whites, 65 percent of African Americans, and 80 percent of Hispanics.



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Pesticides. Ninety percent of the approximately two million hired farm workers in United States are people of color, including Chicanos, Puerto Ricans, Caribbean blacks, and African Americans. Through direct exposure to pesticides, farm workers and their families may face serious health risks; it has been estimated that as many as 313,000 farm workers in the United States may suffer from pesticide-related illnesses each year.

Wastewater. Modern sewage systems were developed to carry sewage and storm water separately to prevent overflow problems that are common in older, urban areas. Many inner cities still have sewer systems that are not designed to handle storm overflow; as a result raw sewage may be carried into local rivers and streams during storms, creating a health hazard.

EPA's Role

In 1992, EPA created the Office of Environmental Justice to address environmental impacts affecting minority and low income communities. The Office's functions include:

- coordinating with other federal agencies on environmental justice issues;
- providing communication, outreach, education, and training for the public;
- providing technical and financial assistance to outside groups; and
- serving as a central repository of environmental justice information.

Your Role

■ **LEARN about the community in which you are working.** How familiar are you with its population? For example, are there people who don't speak English well, people who can't read, or people who are shut in? Will work schedules keep people from attending community meetings?

32 million (14 percent) of the people in the U.S. speak a language other than English at home. For example in California, 5.5 million people speak Spanish and 0.6 million speak Chinese at home. Over 17 million (8 percent) of people living in the U.S. speak Spanish at home.

Are important announcements and information such as fish advisories and Superfund site fact sheets available to non-English speakers? What is the educational level of people in the communities? How diverse is the community?

■ **CONSIDER children.** Children are especially vulnerable to harm from toxic substances and may be exposed through normal play.

Intergenerational equity means that younger or older generations, or future generations, should not bear a greater environmental burden. Is there a relatively high population of children in the neighborhood? Do children play outdoors

where they may come in contact with contaminated soil and water? Do cleanup remedies suggest unrealistic goals such as prohibiting children from playing outdoors?

■ **UNDERSTAND cultural diversity.** Many cultural groups, e.g. African Americans, American Indian and Alaskan Native, and Asian Pacific Americans, depend upon fishing to augment their diets either because of poverty or tradition.

Of the 250 million Americans; 49 million (20 percent) are African Americans, Indian Americans, and Asian Americans. 22 million (9 percent) are Hispanic Americans.

Do people garden and rely upon food they grow in soil that is or may become contaminated? How do they water their garden?

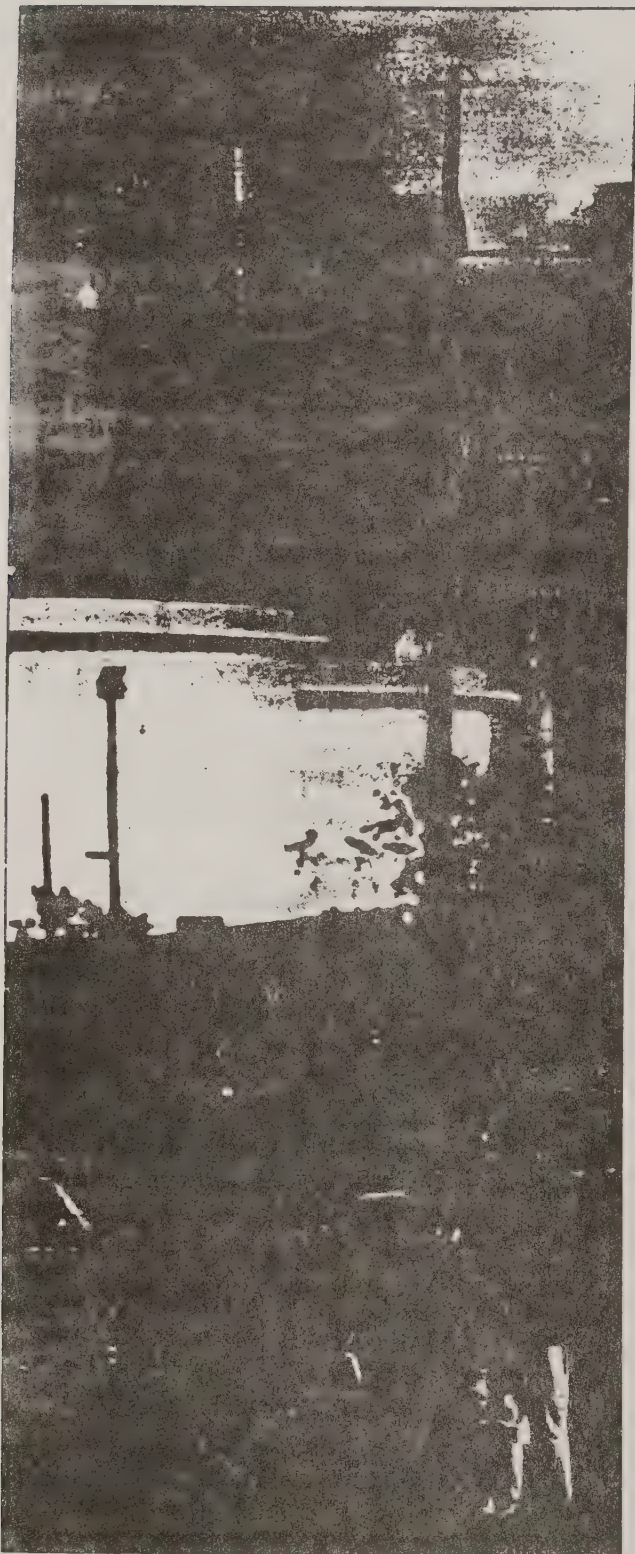
People may be exposed to toxics through multiple sources. Do some people receive additional exposure to toxics at work or because they live in older housing?

■ **REALIZE that poverty severely limits options and opportunities.** Low income groups cannot always move away from undesirable places. do not have adequate health care to identify environmental disease, and may suffer more exposure.

Many low income persons do not own vehicles and do not have access to county, state, or federal parks for recreation. Not only do they miss out on quality outdoor experiences, they fish, swim and play in areas that are contaminated.

Are they more exposed to auto emissions even though they don't own vehicles because they live in inner cities, close to heavily traveled streets and freeways?

This pamphlet is for EPA employees who would like to know more about environmental justice. If you work in communities, support those that do, write regulations which affect people or communities, or answer an EPA hotline, you have a role in justice.

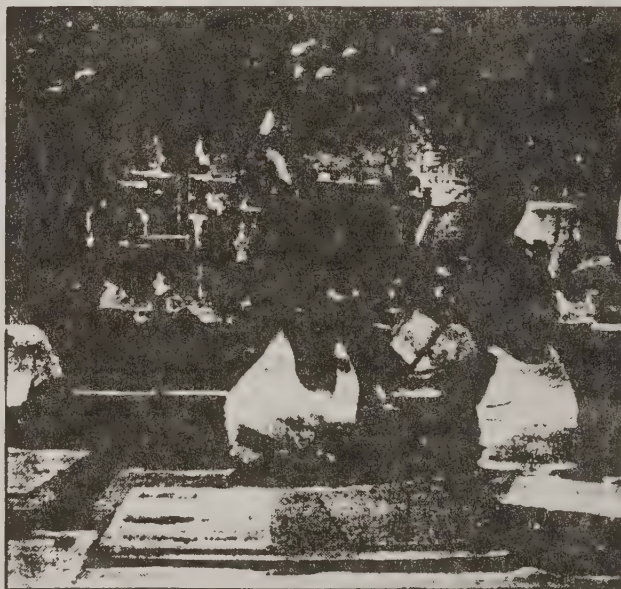


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Working With Communities

EPA's Community Involvement Coordinators have suggested a number of communication techniques for working with low income and minority communities.

- Take the community seriously
- Listen to what they have to say
- **Make more use of facilitators**
- Identify and work with informal communication networks
- Get out early and talk with communities
- Work with minority media
- Recognize that minorities are not usually members of national environmental groups and may need to be reached through other means
- Hold regional workshops with community leaders
- Build bridges for long term planning
- Be sensitive to working with cultural diversity
- Involve local Minority Academic Institutions



Office of Environmental Justice (OEJ)



Environmental Justice 1994 Annual Report

*Focusing on Environmental
Protection for All People*



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Office of Environmental Justice (OEJ)

EPA Environmental Justice Fact Sheet *Small Grants Program*

Purpose

The Environmental Protection Agency's Office of Environmental Justice (OEJ) established the *OEJ Small Grants Program* in fiscal year (FY) 1994, to assist community-based/grassroots organizations and tribal governments that are working on local solutions to local environmental problems.

The First Two Years

In FY 94, OEJ allocated \$500,000 for its small grants program. Each of the ten regional offices received \$50,000 to select recipients and make awards of up to \$10,000 for each project. In the first year of the program, the Agency received over 250 applications and awarded 61 grants.

In FY 95, OEJ increased its small grants program budget to \$3,000,000. Each region received \$300,000 to award grants of up to \$20,000 each. The Agency received more than 700 applications and awarded grants to over 170 recipients from across the country, more than double the number of grants awarded during the program's first year.

FY 96 Small Grants Program

For FY 96, OEJ has allocated an estimated \$1,000,000 to continue the OEJ Small Grants Program. Each region will receive \$100,000 and will select and award grants of up to \$20,000 each. The program will continue to assist community-based organizations (i.e., grassroots groups, academic institutions, churches, or other non-profit organizations) and tribal governments

that sponsor or plan to carry out projects to address local environmental justice issues.

For Information

If you would like more information about the OEJ Small Grants Program, please call the Office of Environmental Justice's 24-hour hotline (1-800-962-6215). The hotline's voice messaging system will provide you with a menu of commands - select the small grants option. Requested information can be either mailed or faxed to you.

Although the *FY 96 OEJ Small Grants Program - Request for Pre-Applications* (RFA) is not currently available, you can leave your name, organization, and mailing address or fax number on the hotline's voice messaging system. You will receive a copy of the RFA once it has been published (expected October, 1995).

The EPA's national Office of Environmental Justice coordinates the small grants program. However, each of the regions has an Environmental Justice (EJ) Coordinator and EJ Grant Coordinator who are your primary contacts for information pertaining to the OEJ Small Grants Program.

Please consult the list on the back for the name, address, and phone and fax numbers of your regional contacts.

REGIONAL COORDINATORS

Each EPA regional office has an Environmental Justice (EJ) Coordinator and Grant Coordinator who can be contacted for help or information. (Listed first is the EJ Coordinator followed by the EJ Grant Coordinator):

Region 1 (ME, VT, NH, MA, CN, RI)

James Younger
One Congress Street
Boston, MA 02203
Phone: 617/565-3403
Fax: 617/565-3415

Rhona Julien
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Region 2 (NY, NJ, PR, VT)

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Fax: 212/637-5024

Natalie Loney
Phone: 212/637-3010

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Reginald Harris
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Phone: 215/597-6529
Fax: 215/597-8255

Mary Zielinski
Phone: 215/597-6795

Region 4 (AL, FL, GA, KY, MS, NC, SC, TN)

Vivian Malone-Jones
345 Courtland Street, NE
Atlanta, GA 30365
Phone: 404/347-3555, ext. 6764
Fax: 404/347-3721

Hector Buitrago
Phone: 404/347-2200, ext. 6793

Region 5 (IL, IN, MI, MN, OH, WI)

Margaret Millard
Waste Mgt. Division (HRM-7J)
77 West Jackson Blvd.
Chicago, IL 60604-3507
Phone: 312/353-1440
Fax: 312/353-6519

Garnetta Clark
Phone: 312/886-5262

Region 6 (AR, LA, NM, OK, TX)

Lynda Carroll
1445 Ross Ave, Suite 1200
Dallas, TX 75202-2733
Phone: 214/665-7200
Fax: 214/665-2164

Donna Tisdall
Phone: 214/665-6528

Region 7 (IA, KS, MO, NB)

Rupert Thomas
726 Minnesota Ave
Kansas City, KS 66101
Phone: 913/551-7282
Fax: 913/551-7925

Hattie Thomas
Phone: 913/551-7762 or 1-800/223-0425

Region 8 (CO, MT, ND, SD, UT, WY)

Mel McCottry
999 18th Street, Suite 500
Denver, CO 80202-2405
Phone: 303/293-1645
Fax: 303/293-1647

Grace Wright
Phone: 303/293-1712

Region 9 (CA, AZ, HI, NV, GM, A.S.)

Lori Lewis
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San Francisco, CA 94105
Phone: 415/744-1561
Fax: 415/744-1605

Martha Vega
Phone: 415/744-1943

Region 10 (AK, ID, OR, WA)

Joyce Crossen-Kelly
1200 Sixth Ave (MD-142)
Seattle, WA 98101
Phone: 206/553-4029
Fax: 206/553-6647

Robin Meeker
Phone: 206/553-8579

OFFICE OF ENVIRONMENTAL JUSTICE FY 1995 SMALL GRANT RECIPIENTS

REGION 1

Massachusetts

| | |
|--|-----------|
| Dudley Street Neighborhood Initiative Roxbury, MA | \$ 5,000 |
| Environmental Diversity Forum Boston, MA | \$ 3,961 |
| Massachusetts Coalition for a Better Acre Lowell, MA | \$ 20,000 |
| The Holden School, Inc. Charleston, MA | \$ 20,000 |
| ROCA Inc. of North Suffolk Chelsea, MA | \$ 20,000 |
| Lena Park Community Development Corp. Dorchester, MA | \$ 20,000 |
| Lawrence Planning & Neighborhood Lawrence, MA | \$ 20,000 |
| Housatonic Valley Association Pittsfield, MA | \$ 20,000 |
| Harvard Street Neighborhood Health Dorchester, MA | \$ 18,172 |
| Massachusetts Fitchburg Spanish Council Fitchburg, MA | \$ 20,000 |
| Massachusetts Health Research Institute Boston, MA | \$ 19,236 |
| Merrimack River Watershed Council West Newbury, MA | \$ 9,750 |

Connecticut

| | |
|---|-----------|
| New Haven Urban Resources Initiative New Haven, CT | \$ 18,417 |
| Organized North Easterners, Clay Hill and North End, Inc. Hartford, CT | \$ 3,961 |
| South End Community Center Bridgeport, CT | \$ 20,000 |

Vermont

| | |
|--------------------------------------|-----------|
| Riverwatch Network Montpelier, VT | \$ 20,000 |
|--------------------------------------|-----------|

Rhode Island

| | |
|---|-----------|
| Roger Williams Park Zoo - Zoo Power Providence, RI | \$ 11,844 |
|---|-----------|

| | |
|--|-----------|
| Roger Williams Park Zoo - Youth in the Environment Providence, RI | \$ 14,934 |
| The Providence Plan Providence, RI | \$ 10,000 |

Maine

| | |
|--|-----------|
| Houlton Band of Maliseets Indians Houlton, ME | \$ 3,961 |
| Indian Township - Passamaquoddy Princeton, ME | \$ 20,000 |

| | |
|-------|------------------|
| Total | <u>\$319,236</u> |
|-------|------------------|

REGION 2

Virgin Islands

| | |
|---|-----------|
| Virgin Islands Conservation Society St. Thomas, VI | \$ 20,000 |
|---|-----------|

New Jersey

| | |
|---|-----------|
| Isles, Inc. Trenton, NJ | \$ 20,000 |
| Citizen Policy and Education Fund Hackensack, NJ | \$ 20,000 |
| Greater Newark Conservancy Newark, NJ | \$ 20,000 |
| Comité de Apoyo a los Trabajadores Agrícolas Glassboro, NJ | \$ 20,000 |

New York

| | |
|---|-----------|
| Seneca Nations of Indians Irving, NY | \$ 20,000 |
| Harlem Environmental Impact Project, Inc. New York, NY | \$ 10,000 |
| Mt. Sinai Medical Center New York, NY | \$ 19,934 |
| Chinese Progressive Association New York, NY | \$ 19,950 |
| Citizens Committee for NYC New York, NY | \$ 20,000 |

| | |
|--|------------------|
| Bronx Community College/Research Foundation of CUNY Bronx, NY | \$ 20,000 |
| Rochester Council on Occupational Safety and Health Rochester, NY | \$ 20,000 |
| United Community Centers, Inc. Brooklyn, NY | \$ 11,200 |
| Richard Allen Center On Life, Inc. New York, NY | \$ 20,000 |
| Puerto Rico | |
| University of Puerto Rico Mayaguez, PR | \$ 20,000 |
| Sociedad Ambientalista de la Catatonia, Inc. Barcelonita, PR | \$ 20,000 |
| Total | <u>\$301,084</u> |

REGION 3**Maryland**

| | |
|---|-----------|
| Raising Hispanic Academic Achievement, Inc. Burtonsville, MD | \$ 19,908 |
| Parks and People Foundation Baltimore, MD | \$ 15,390 |
| Patuxent River 4-H Center Foundation Upper Marlboro, MD | \$ 10,800 |
| Anacostia Watershed Society College Park, MD | \$ 20,000 |

Virginia

| | |
|---|-----------|
| Virginia Water Project, Inc. Roanoke, VA | \$ 13,580 |
| Virginia Polytechnic Institute and State University Pulaski County, VA | \$ 19,728 |
| American Lung Association of Virginia Richmond, VA | \$ 5,050 |
| Arlingtonians for Clean Environment Arlington, VA | \$ 9,195 |

Pennsylvania

| | |
|--|-----------|
| Clinton County Conservation District Clinton County, PA | \$ 20,000 |
|--|-----------|

| | |
|---|------------------|
| Delaware Bay Schooner Project Dorchester, NJ | \$ 20,000 |
| School District of Philadelphia Philadelphia, PA | \$ 19,674 |
| Pennsylvania Environmental Defense Fund Carlisle, PA | \$ 18,000 |
| YMCA of Coatsville Coatsville, PA | \$ 20,000 |
| Blacklick Creek Watershed Association, Inc. Indiana, PA | \$ 20,000 |
| Council of Spanish Speaking Organizations Philadelphia, PA | \$ 20,000 |
| Shippensburg University Shippensburg, PA | \$ 8,544 |
| Moraine Preservation Fund Zelienople County, PA | \$ 7,685 |
| District of Columbia | |
| Institute of World Affairs Washington, DC | \$ 4,933 |
| Environmental Law Institute Washington, DC | \$ 20,000 |
| Chi Delta Mu Fraternity Washington, DC | \$ 20,000 |
| | |
| Total | \$312,487 |

REGION 4**Alabama**

| | |
|------------------------------|-----------|
| Project Awake Coatopa, AL | \$ 20,000 |
|------------------------------|-----------|

Florida

| | |
|--|-----------|
| Florida International University Miami, FL | \$ 19,377 |
| Citizens Against Toxic Exposure Pensacola, FL | \$ 20,000 |

Georgia

| | |
|---|-----------|
| People Working for People Tifton, GA | \$ 20,000 |
| Newtown Florist Club Athens, GA | \$ 20,000 |

| | |
|--|-----------|
| Youth Initiative Project Brunswick, GA | \$ 10,362 |
| Fulton Atlanta Community Authority Atlanta, GA | \$ 20,000 |
| Clark Atlanta University Atlanta, GA | \$ 19,911 |
| Woolfolk Citizens Response Group Fort Valley, GA | \$ 20,000 |
| Hyde Park and Aragon Park Improvement Committee, Inc. Augusta, GA | \$ 10,000 |
| Kentucky | |
| Appalshop, Inc. Whitesburg, KY | \$ 20,000 |
| Mississippi | |
| Jesus People Against Pollution, Inc. Columbia, MS | \$ 19,750 |
| Mississippi Human Services Agency Jackson, MS | \$ 4,500 |
| North Carolina | |
| Warren County Citizens Concerned About PCB's Norlina, NC | \$ 19,000 |
| Concerned Citizens of Tillery Tillery, NC | \$ 20,000 |
| South Carolina | |
| The Columbia Urban League, Inc. Columbia, SC | \$ 19,936 |
| Tennessee | |
| Vanderbilt University Medical Center Nashville, TN | \$ 7,000 |
| * One additional grant in this region is being processed for award. | |

| | |
|--------------|------------------|
| Total | \$300,836 |
|--------------|------------------|

REGION 5**Illinois**

| | |
|---|-----------|
| Community Health Partnership Chicago, IL | \$ 19,963 |
|---|-----------|

| | |
|---|-----------|
| Lead Elimination Action Drive Chicago, IL | \$ 20,000 |
| Chicago Legal Clinic Chicago, IL | \$ 5,800 |
| East St. Louis Metropolitan Ministry St. Louis, IL | \$ 20,000 |
| Chicago Board of Education Chicago, IL | \$ 20,000 |
| Parents Against Lead Chicago, IL | \$ 15,000 |
| Indiana | |
| Grand Calumet Task Force Whiting, IN | \$ 20,000 |
| Ohio | |
| Citizen's Policy Center Cleveland, OH | \$ 12,591 |
| Community of Holy Rosary-St. John Columbus, OH | \$ 14,498 |
| McElrath Improvement Corporation Ravenna, OH | \$ 12,646 |
| Working In Neighborhoods, Inc. Cincinnati, OH | \$ 20,000 |
| Michigan | |
| Arab Community Center for Economic and Soc. Serv. Dearborn, MI | \$ 20,000 |
| Michigan Migrant Legal Assistance Project Grand Rapids, MI | \$ 20,000 |
| Greening of Detroit Detroit, MI | \$ 4,000 |
| Minnesota | |
| Grand Portage Reservation Grand Portage, MN | \$ 20,000 |
| Wisconsin | |
| Sokaogon Chippewa Community Crandon, WI | \$ 19,997 |
| Wisconsin Community Action Program Madison, WI | \$ 20,000 |

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| Sixteenth Street Community Health Center. Milwaukee, WI | \$ 20,000 |
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* One additional grant in this region is being processed for award.

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| Total | <u>\$314,495</u> |
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REGION 6

Arkansas

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|---|-----------|
| Arkansas Delta Housing Development Corporation Forrest City, AR | \$ 20,000 |
| Central Arkansas Regional Solid Waste Management District Lonoke, AR | \$ 20,000 |
| White River Environmental Protection Association Elkins, AR | \$ 2,324 |

Louisiana

| | |
|---|-----------|
| Deep South Center for Environmental Justice, Xavier University New Orleans, LA | \$ 20,000 |
| Iberville Parish Emergency Preparedness Plaquemine, LA | \$ 20,000 |
| Southern Mutual Help Association New Iberia, LA | \$ 20,000 |
| Algiers Community Improvement Association New Orleans, LA | \$ 20,000 |

New Mexico

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|---|-----------|
| San Jose Community Awareness Council, Inc. Albuquerque, NM | \$ 20,000 |
| Asociacion del Medio Ambiente de Sunland Park, Inc. Sunland Park, NM | \$ 20,000 |
| Pueblo of San Juan San Juan Pueblo, NM | \$ 19,702 |
| Pueblo of Acoma Acomita, NM | \$ 20,000 |

Oklahoma

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|------------------------------------|-----------|
| East Central University Ada, OK | \$ 19,980 |
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|--|------------------|
| Cherokee Nation Tahlequah, OK | \$ 19,992 |
| Texas | |
| City of Laredo Laredo, TX | \$ 18,002 |
| Prairie View A&M Prairie View, TX | \$ 20,000 |
| YMCA of Metro Ft Worth Fort Worth, TX | \$ 20,000 |
| Total | <u>\$300,000</u> |
| REGION 7 | |
| Iowa | |
| Black Hawk County Health Department Waterloo, IA | \$ 20,000 |
| Kansas | |
| Haskell Indian Nations University (Bill Welton) Lawrence, KS | \$ 20,000 |
| Haskell Indian Nations University (Carol Bowen) Lawrence, KS | \$ 20,000 |
| Friends University Wichita, KS | \$ 19,719 |
| Kickapoo Tribe in Kansas Horton, KS | \$ 20,000 |
| Prairie Band of Potawatomi Indians Mayetta, KS | \$ 17,047 |
| National Hispanic Council on Aging in Wichita Wichita, KS | \$ 19,982 |
| Missouri | |
| American Lung Association St. Louis, MO | \$ 8,500 |
| The Curators of the University of Missouri Columbia, MO | \$ 17,445 |
| Greater St. Louis Lead Poisoning St. Louis, MO | \$ 20,000 |
| Leadbusters, Inc. - Westside Housing Organization Kansas City, MO | \$ 20,000 |
| Higbee Community Betterment Association, Inc. Higbee, MO | \$ 12,050 |

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|---|------------------|
| Wesley House Association St. Louis, MO | \$ 18,360 |
| Nebraska | |
| Douglass County Health Department Omaha, NE | \$ 20,000 |
| Omaha Tribe of Nebraska Macy, NE | \$ 20,000 |
| Total | <u>\$273,103</u> |
| REGION 8 | |
| Colorado | |
| El Paso County Department of Health and Environment Colorado Springs, CO | \$ 18,910 |
| Cross Community Coalition Denver, CO | \$ 19,974 |
| Denver Department of Health and Hospitals Denver, CO | \$ 20,000 |
| Hispanic Chamber of Commerce Education Foundation Denver, CO | \$ 20,000 |
| Council of Energy Resource Tribes Denver, CO | \$ 19,793 |
| Sunnyside United Neighbors, Inc. Denver, CO | \$ 19,528 |
| Montana | |
| Fort Belknap Community Council Harlem, MT | \$ 20,000 |
| Confederated Salish and Kootenai Tribes Pablo, MT | \$ 20,000 |
| Northern Cheyenne Tribe Lame Deer, MT | \$ 20,000 |
| District XI Human Resource Council Missoula, MT | \$ 15,326 |
| North Dakota | |
| Clean Water Fund Fargo, ND | \$ 20,000 |
| South Dakota | |
| Jobs and the Environment Campaign Cambridge, MA | \$ 20,000 |

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| Oglala Sioux Tribe Pine Ridge, SD | \$ 18,701 |
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|---|-----------|
| Western SD Community Action, Inc. Rapid City, SD | \$ 16,000 |
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Utah

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| Utah Society for Environmental Education Salt Lake City, UT | \$ 19,590 |
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| Total | <u>\$287,822</u> |
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REGION 9

Arizona

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|--|-----------|
| Arizona Department of Health Services Phoenix, AZ | \$ 18,585 |
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| Dine Citizens Against Ruining Our Environment Winslow, AZ | \$ 20,000 |
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|------------------------------------|-----------|
| Don't Waste Arizona Phoenix, AZ | \$ 20,000 |
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| El Pueblo Clinic T.C.E. Program Tucson, AZ | \$ 20,000 |
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| Living is for Everyone Nogales, AZ | \$ 20,000 |
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| NACO Border Commerce Naco, AZ | \$ 20,000 |
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| Salt River Pima-Maricopa Indian Community Scottsdale, AZ | \$ 8,860 |
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| Tufts University, School of Medicine Boston, MA | \$ 19,702 |
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California

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|---|-----------|
| African American Development Association Oakland, CA | \$ 17,875 |
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| Asian Pacific Environmental Network Oakland, CA | \$ 20,000 |
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|---|-----------|
| California Institute for Rural Studies, Inc. Davis, CA | \$ 20,000 |
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|---|-----------|
| Metropolitan Area Advisory Committee National City, CA | \$ 20,000 |
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| Ontario-Montclair School District Ontario, CA | \$ 20,000 |
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|---|------------------|
| Pesticide Watch Education Fund San Francisco, CA | \$ 20,000 |
| Ramona Gardens Resident Advisory Council Los Angeles, CA | \$ 11,851 |
| Sierra Club Los Angeles, CA | \$ 20,000 |
| West County Athletic Association Richmond, CA | \$ 19,056 |
| Hawaii | |
| Puna Malama Pono, Inc. Pahoa, HI | \$ 20,000 |
| Total | <u>\$295,929</u> |
| REGION 10 | |
| Washington | |
| Student Conservation Association Seattle, WA | \$ 20,000 |
| Total | <u>\$297,325</u> |

* fifteen additional grants in this region are being processed for award

APPENDIX II - LIST OF MATERIALS AVAILABLE FROM THE OFFICE OF ENVIRONMENTAL JUSTICE

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EIGHT ENVIRONMENTAL JUSTICE PROJECTS, FUNDED BY CLIMATE CHANGE DIVISION'S STATE AND LOCAL OUTREACH PROGRAM

The eight environmental justice projects funded by the State and Local Outreach Program, all formally approved within the past one or two months, are low-cost, grass roots-level endeavors targeted toward low-income neighborhoods and disadvantaged communities. The EPA's Climate Change Division (CCD) recognizes the vital need for the EPA to reach out to these constituencies on common issues affecting health, the environment, and quality of life.

Just as the global issue of climate change can affect all Americans, farmers and inner-city residents alike, so, too, can all Americans take steps to reduce the greenhouse gas emissions that cause climate change. The following projects will reduce emissions of greenhouse gases, while helping low-income residents achieve cost savings and energy savings, improve their quality of life, and learn about the climate change issue. The total amount of funds provided by the State and Local Outreach Program for these eight projects is \$210,910, with funding coming out of FY94 sources. While this is a modest amount, the sum represents the lion's share of the total cost for the eight projects. It will also serve as seed money to help build future partnerships between disadvantaged communities and those addressing the threat of climate change.

(1) New York: American Lung Association's "Car Care" Program

Is providing low-income neighborhoods with certified mechanics and discount coupons for car repairs and is conducting a public awareness campaign, thus curbing vehicle emissions.

- * Cities: Utica/Rome and Binghamton
- * Congressional District: 23
- * Local Contact: Karen Campese (315-735-9225)
- * CCD Funding: 56% of total project cost

(2) Montana: The Blackfoot Indian Nation's Recycling Hub

Will create a regional recycling and business development hub, thus increasing recycling, fostering economically sound business development and reducing solid waste disposal.

- * City: Browning
- * Congressional District: 01
- * Local Contact: Stephanie Wallace, EPA (406-449-5414)
- * CCD Funding: 50%

(3) Chicago, Illinois: The Center for Neighborhood Technology's "Chicago Energy and Equity Research Project"

Will identify cost-effective opportunities for low-income utility customers to apply energy efficiency and renewable resource strategies while participating in their utilities' demand-side management programs, promoting energy efficiency and curbing fossil fuel combustion.

- * City: Chicago
- * Congressional District: 04
- * Local Contact: Raymond Lau (312-278-4800)
- * CCD Funding: 95%

(4) Alaska: The Delta Institute's Native Village "Self-Sufficiency Blueprint Project"

Will help local Native American villagers assess their energy needs and identify energy efficiency and renewable energy options for meeting those needs, thus helping to reduce their dependence on diesel-powered generators.

- * Cities: Numerous
- * Congressional Districts: All
- * Local Contact: Karin Holser (907-376-6231)
- * CCD Funding: 82%

(5) Minneapolis, Minnesota: Global Action Plan's "Eco Teams Urban Outreach Project"

Will train community coaches, underwrite the development of 50 new Eco Teams consisting of seven households each, and help design a new delivery system for promoting environmental action in the home and community, helping to reduce energy and water use.

- * City: Minneapolis
- * Congressional District: 05
- * Local Contact: Ted Moores (612-824-2433)
- * CCD Funding: 59%

(6) Kentucky: Office of Kentucky Legal Services Programs' (OKLSP) Demand Side Management Project

OKLSP is working with state utilities to design demand side management programs for low-income residents, including increasing public awareness, and helping train community leaders, promoting energy efficiency and reducing fossil fuel combustion.

- * Cities: Numerous
- * Congressional Districts: 01, 06
- * Local Contact: Anthony Martin (606-233-3057)
- * CCD Funding: 91%

(7) San Francisco Bay Area: The Urban Habitat Program's Social and Ecological Justice Transportation Improvement Project

Will analyze the equity and environmental impacts of the Bay Bridge Congestion Pricing Demonstration Project, including offering alternatives that provide a more equitable apportionment of environmental benefits.

- * Cities: The Bay Area
- * Congressional District: 08
- * Local Contact: Henry Holmes (415-788-3666)
- * CCD Funding: 89%

(8) Nevada: The Walker River Paiute Tribe's Recycling Education Awareness Project

Will initiate an elementary school recycling and environmental education program, and establish a village trash recycling program, reducing trash incineration and solid waste disposal.

- * City: Schurz
- * Congressional District: 02
- * Local Contact: Irwin Miller (702-773-2306)
- * CCD Funding: 67%

For further information contact: Alexander Winslow, OPPE/Climate Change Division (260-4033)

ENVIRONMENTAL JUSTICE, URBAN REVITALIZATION, AND BROWNFIELDS:

THE SEARCH FOR AUTHENTIC SIGNS OF HOPE

EXECUTIVE SUMMARY

In 1995, the National Environmental Justice Advisory Council (NEJAC) Waste and Facility Siting Subcommittee and the U.S. Environmental Protection Agency co-sponsored a series of public hearings entitled, "Public Dialogues on Urban Revitalization and Brownfields: Envisioning Healthy and Sustainable Communities." The Public Dialogues were held in five cities: Boston, Massachusetts; Philadelphia, Pennsylvania; Detroit, Michigan; Oakland, California; and Atlanta, Georgia. They were intended to provide for the first time an opportunity for EPA environmental justice advocates and residents of impacted communities to systematically provide input regarding issues related to the EPA's Brownfields Economic Redevelopment Initiative.

More than 500 persons from community groups, government agencies, faith groups, labor, philanthropies, universities, banks, businesses, and other institutions participated in a "systematic attempt to stimulate a new and vigorous public discourse about developing strategies, partnerships, models, and projects for ensuring healthy and sustainable communities in America's urban centers and demonstrating their importance to the nation's environmental and economic future." Representatives from 15 federal agencies as well state and local governments participated.

Concerns were raised by members of the public about the Brownfields Initiative, i.e., whether or not the brownfields issue was a "smoke screen" for gutting cleanup standards, environmental regulations, and liability safeguards. Heretofore, public policy discourse around the brownfields issue has revolved around removing barriers to real estate and investment transactions at sites where there exists toxic contamination concerns—real or perceived.

There is hope that the Brownfields Initiative will provide an opportunity to (1) stem the ecologically untenable, environmentally damaging, socially costly, and racially divisive phenomenon of urban sprawl and greenfields development; (2) provide focus to a problem which by its very nature is inextricably linked to environmental justice, for example, the physical deterioration of the nation's urban areas; (3) allow communities to offer their vision of what redevelopment should look like; (4) apply environmental justice principles to the development of a new generation of environmental policy capable of meeting complex challenges such as brownfields and the existence of a severe crisis in urban America; and (5) bring greater awareness and opportunities for building partnerships between EPA and communities and other stakeholders. As a result, EPA committed itself to supporting a sustained dialogue on brownfields and environmental justice issues.

EPA already has begun to address concerns raised during the Public Dialogues. For example, EPA revised the criteria for applying for the Brownfields pilots based on comments provided by the NEJAC. The comments emphasize community involvement and recommend that the extent of community involvement be verified. EPA also is holding a major Interagency workshop in February 1996 to increase the coordination of federal agencies on issues related to brownfields and environmental justice. These efforts lay an important foundation for EPA and other agencies to address the recommendations in this report.

Environmental Justice and Brownfields

agencies as well as their state, local, and tribal counterparts. Through these Public Dialogues, communities have articulated a highly compelling vision of the future that speaks to the entire federal government, as well as state and local governments. These recommendations were developed within the framework of a number of overarching questions which emerged from testimony at the Public Dialogues on Urban Revitalization and Brownfields.

Recommendations

When environmental justice posited the notion that "people must speak for themselves" about an environment defined as the place where "we live, where we work, and where we play," it established a framework for functionally bridging the key components of emerging environmental policy, i.e., ecosystem management and community-based environmental protection, equal protection, pollution prevention, sound science, programmatic integration, and accountability to the public. This fact needs to be elevated as a major tenet of emerging environmental policy. Environmental justice is predicated upon the fact that the health of the members of a community, both individually and collectively, is a product of physical, social, cultural, and spiritual factors. It provides a key to understanding an integrative environmental policy which treats our common ecosystem as the basis for all life (human and non-human) and activity (economic and otherwise).

Recommendation highlights include:

I. Public Participation and Community Vision

1. Informed and Empowered Community Involvement

- ☐ *Support sustained and structured public dialogue on brownfields and environmental justice on all levels.*
- ☐ *Institute policies and performance measures which encourage program personnel and policy makers to spend substantive time in neighborhoods as a regular part of their work so that there is understanding of real problems, concerns, and aspirations of community residents.*

2. Community Vision/Comprehensive Community Based Planning

- ☐ *Acknowledge community-based planning as a critical methodology for environmental protection and promote its use both inside and outside the agency*
- ☐ *Support the development of tools and expertise for community-based planning, including the highly significant growth of "spontaneous" interest among community groups in community mapping*

3. Role and Participation of Youth

- ☐ *Form the requisite partnerships both inside and outside of governments to better understand and address urban revitalization/brownfields issues of concern to youth*
- ☐ *Through the Brownfields Initiative, integrate environmental activities and career development with targeted environmental justice and urban revitalization strategies.*

10. Federal Interagency Cooperation, Programmatic Integration, and Government Reinvention

- ☐ *Provide opportunities for communities to systematically engage EPA and other federal around ways in which federal programs around ways by which they can coordinate programs, pool resources and tap expertise*

Conclusion

The brownfields debate reveals issues of civilizational dimensions. As we look to the 21st century, what endeavor could possibly be more eminently worthy and necessary; more obviously logical and deserving of our national attention, expertise, and resources; or more meaningful and spiritually nourishing than that of revitalizing America's urban areas and ensuring healthy and sustainable communities—both urban and rural? A challenge so great as this cannot be met without compelling visions of what constitutes healthy and sustainable communities. We have found that such visions already exist in highly coherent and vibrant ways within many communities across the nation.

The nation is locked within the throes of a set of transitions which are demographic, economic, environmental, technological, social, cultural, linguistic, generational, and indeed spiritual in nature. Urban revitalization and brownfields offer an opportunity to shape new policy, programs, partnerships, and pilot projects which rise to the challenge of the cross-cutting issues raised in this report. The Subcommittee continues to pose these questions:

- Can this process begin to set a direction capable of crystallizing a unifying and cross-cutting vision within the federal government to serve as an anchor for the mobilization of society's resources—both public and private?
- Can the restoration of the physical environment in America's cities become the anchoring point for economic, social, cultural, and spiritual renewal and thus provide the basis for a embarking upon a new and ennobling national mission?

If the brownfields issue is nothing else, it was an opportunity for community groups to engage government, developers, and other stakeholders around their vision of what healthy and sustainable communities are. The stakes cannot be greater. EPA must begin to think about a new framework which will address the issues raised through the Public Dialogues on Urban Revitalization and Brownfields. The hallmark of that process must be informed and empowered community involvement. Likewise, all agencies in the federal government should consider these cross-cutting issues and begin to shape coordinated and integrative strategies.

The NEJAC Subcommittee on Waste and Facility Siting believes that a process has been started by which environmental justice advocates and impacted communities have changed the operative definition of the term "brownfields." This already has translated into some significant changes in the way in which EPA implements the Brownfields Initiative. We hope to engage a process which ultimately will coalesce a new type of environmental and social policy capable of meeting the challenges of revitalizing urban America and restoring ecological balance to the nation. This was our intent. Anything less would have amounted to a failure of leadership, a breaking of faith with communities, and acquiescence to business as usual.

Brownfield Issues

Brownfield Sites

The purpose of delisting sites, most of which sites were subject to short-term clean-up action (such as removal of containers of hazardous substances or soils contaminated by spills, etc.), from the CERCLIS database of Superfund Sites was to stimulate development. The delisting of sites provides some comfort to financial institutions and land developers. The EPA has formally acknowledged that no further Superfund concerns relate to the sites remain, thereby spurring the current interest in brownfield development.

In spite of the potential benefits to municipalities (the continued connection of municipal liability to brownfield development increases the likelihood of relief to municipalities from such liability).

- (1) Continuing the link to Superfund will likely continue to inhibit the redevelopment of such sites.

Moreover, there is insufficient funding available to remediate both CERCLIS Superfund sites and the estimated 400,000 delisted, brownfield sites.

Notwithstanding the above, the removal of these sites from CERCLIS does not necessarily mean that the site will not be the subject of state action or that these sites are clean enough to allow unfettered development activities.

Redevelopment Efforts/Cleanup Remedy/Future Use.

- (2) If the connection to Superfund continues, it requires a new Superfund bill to assist specific brownfield sites.

Provisions to include earmarking funding for brownfield site cleanup activities; technical assistance grants to enable proper evaluation of future uses and effective community participation; greater secured creditor protection for lenders lending for brownfield development; tax credits and permit waivers (designed to obviate the need for multiple permits) if an overall development plan is developed and undergoes proper environmental review. A ruling in the *Fleet Factors* case, broadly read could be interpreted to mean that any financial institution taking actions typically done to protect its security interest, i.e. exercising management control over the enterprise present on a Superfund Site, is potentially liable for the entire cleanup of the property.

Policy Decision.

States have typically taken the lead from the US EPA on brownfield policy, yet this issue must be further examined.

(3) dialogue and agreement among federal, state and local authorities in equal partnership with the community and community-based institution.

To develop many of these sites will likely require some agreement with the governing local environmentally agency. In many states, this is done through a voluntary clean program. Essentially, voluntary cleanup programs allow persons who are not responsible for contamination at a site to receive protection from liability associated with the contamination in exchange for cleanup or implementing measure to prevent exposure to the contaminate on site.

(4) Working with the EPA, states and local government should take leadership and involve community participants in decisions regarding local sites.

Examples of actions that local municipalities can take include initiating regulatory actions, such as issuing guidance documents related to the purchase and development of brownfield properties; issuing letters expressing its position that a specific site will not be subject to enforcement action; working with states to execute memoranda of understanding protecting a property owner who has cleaned up sites pursuant to a state voluntary cleanup agreement.

In cleaning up a contaminated site for future use, there are essentially two options: (1) cleaning up all the areas of contamination to an established cleanup level; or (2) coupling some cleanup of the site with certain site controls, e.g. construction of a lay of clay on top of the site to prevent harmful exposure to the contaminants on the site, such measure are designed to prevent exposure by blocking the path in which the exposure would occur.

Actions can be taken in conjunction with a proposed 'program EIS' which, for example, can set forth a number of potential site usage's for which appropriate environmental impact statement s analyses can be made. Thereby use determines the amount of remediation needed and the liability potential. The brownfield dialogue includes discussion regarding the future use of a brownfield site as a factor in cleanup. For example, if a site is to be used for industrial purposes, the cleanup would be based on the cleanup levels that are appropriate for such sites, or, a oil contaminated property assessed for an intermodal train yard use would only require the laying of a concrete or other solid base serving as the track bed. Alternately, a generic environmental impact assessment could be implemented in a manner where developable sites and uses are identified with associated permits completed early in the process. This is more attractive to developers.

But, this cannot be universally applied. If the sites is to be used at any point in the future for alternate purposes, an new EIS would be mandated necessitating further assessment and remediation. Usage must be directly linked to assessment and required remediation. Notwithstanding, the remediation must be viewed holistically, by examination not only the instant property but also surrounding areas and waste stream paths in vicinity. Therefore, important factors include determining the appropriate cleanup levels including whether the site is adjacent to other industrial uses or residential uses. If the site is adjacent to a residential community, pathways of

exposure and prevention of access to the site are important considerations regarding the appropriateness of future use as a factor in determining cleanup levels.

(5) Brownfield deliberations have insufficiently considered the impact of the future use itself.

Often alternative risk assessment of future use is noted to justify a low level of cleanup, but cumulative impact of the future use must be evaluated in terms of risk to the adjacent community.

Community Benefits.

(6) The community must substantially and substantively be involved in local decisions involving the site development and in terms of decisions regarding benefits to the communities.

Brownfields development must include local benefits including but not limited to: Job training/education, quantifiable employment commitment, and indirect community benefits as environmentally beneficial projects.

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Conference on Transportation, Environmental Justice, and Social Equity -An Overview-

Marginalized people and their communities bear the brunt of society's ills, grapple with the costliest of society's tradeoffs, and have the least of society's resources to deal with them. Transportation's role in these dimensions of inequity is ubiquitous. The availability of transportation services in a community often determines its economic and social viability. In particular, low-income individuals, people of color, aged and disabled people experience increasing difficulty in gaining access to work, tapping into social and commercial services, and interacting with others. The physical placement of jobs and services also has serious public health, environmental and other impacts.

Many experts contend that a combination of misguided and racially discriminatory public policies and land use patterns have contributed the most to social inequities in transportation. Most regions of the United States have been designed for automobile travel, making car ownership a basic need. Although the private costs of U.S. driving are relatively low compared with those in other nations, the expense is still too burdensome for many poor people. What's more, most roadway funds have been invested in projects that benefit middle- to upper-income suburban communities. In the zero-sum game of transportation project financing, such spending has come at the expense of transportation services to benefit the poor, such as urban and rural public transit, downtown development, and the maintenance of urban and rural roads. This is a growing trend, as more people and jobs migrate to the suburbs and urban centers continue to decline. Land use development has followed the booming suburban economies and population shifts, reinforcing patterns of migration and investment that favor suburbs over urban, low-income, and minority communities.

Political power has also shifted to the suburbs. U.S. transportation policy has long been criticized for being inequitable, exclusionary, top-down, and closed to the public. The dwindling populations in center cities and rural areas have made it even more difficult for marginalized people to participate in policy making. This has changed to some extent with the passage of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), which includes mechanisms for public participation in transportation decisions. However, institutional resistance from transportation officials, poor organizing, and confusion over the policy-making process are still powerful barriers to public participation, especially for disadvantaged people.

Calls for equity in transportation have come from many quarters, including the environmental justice community, public participation advocates, environmentalists, community economic development activists, disabled people, tribal organizations, neighborhood groups, rural organizations, and civil rights advocates, to name a few. In different ways, these groups have established mechanisms to suit the process to their needs. By banding together and addressing the core issues of social inequity and environmental injustice in transportation, these groups could potentially change the way transportation policy is made at all levels of government.

Federal Opportunities and Policies

One very promising inspiration for transportation activists is the establishment of the National Environmental Justice Advisory Council, with a strong link to the Environmental Protection Agency. After the Clinton Administration issued its Executive Order on Environmental Justice earlier this year, activists called for such an advisory council, and initiated an inclusive process with EPA which allows adequate time for organizing and discussion and grants control of the process to grassroots groups. Although other federal agencies have been very slow to initiate similar processes, environmental justice and social equity advocates are optimistic that this will change.

Other policies can also serve as levers in the social equity toolbox. ISTEA not only contains strong public participation rules, but also offers a variety of funding sources to facilitate community development and adequate local transportation. These include Congestion Mitigation and Air Quality funds (CMAQ), Enhancement funds, and flexible funding for Surface Transportation Program (STP) projects, including roads, transit, bicycling, and walking. Many of these activities are listed among the Transportation Control Measures in Section 108 of the Clean Air Act Amendments of 1990 (CAAA). Low-income communities are in an excellent position to take advantage of these funding opportunities because travel patterns in these communities are more likely to rely on transit, bicycling and walking than the travel patterns of suburban dwellers.

ISTEA also requires officials to ensure that transportation plans comply with Title VI of the Civil Rights Act. While many view this as a backstop, Title VI requires that communities of color are not disproportionately harmed by any transportation investments or policies involving federal funds, such as the siting of highway corridors or the implementation of congestion pricing.

The Americans with Disabilities Act is another powerful tool that has been used to ensure access for disabled individuals in all public facilities, including transportation. Activists are increasing their efforts to use the ADA to benefit low-income disabled people.

These and other policy options, combined with grassroots organizing and activism, offer tremendous opportunities to make social equity and environmental justice in transportation a reality rather than mere rhetoric. Our goal at this conference is to initiate a long-term dialogue with transportation officials from all levels of government, so that they understand the dimensions of social inequity in the communities they are supposed to serve.

The Federal Transit Administration hopes to use the recommendations generated by the conference working groups to define and refine their next strategic plan, which must address the Executive Order on Environmental Justice. In return, they have expressed a willingness to show community activists how to become part of policy making through public participation and collaboration. We thank the Federal Transit Administration for taking the lead on this issue within the Department of Transportation. And while this is a long-distance journey with many obstacles, at least we're about to take the first step.

FREQUENTLY ASKED QUESTIONS ABOUT ISTEA

1. What is ISTEA?

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) is more than just a reauthorized highway bill. It amends Titles 23 and 49 of the United States Code (The Highways and Transit Acts, respectively) to diversify the federal role in surface transportation policy and better respond to national priorities for environmental protection, community quality, economic competitiveness and energy efficiency.

2. Why is ISTEA so important?

ISTEA governs surface transportation spending, the largest federal infrastructure investment program, providing the nation with a potential \$155 billion federal investment through 1997. It provides for three key reforms in the areas of planning, public participation, and flexible funding. ISTEA reinforces metropolitan planning requirements for transportation and requires state planning for the first time to "address the overall social, economic and environmental effects of transportation decisions" and conform to state air quality plans, among other important factors. It mandates broader and earlier involvement of the public in decisionmaking. And it abolishes the old, mode-oriented categories of funding in favor of new programs available for all modes of transportation.

3. What is Flexible Funding?

Flexible funding replaces the old approach to transportation funding, which was based on mode (e.g. highway, transit). Title I of ISTEA contains two new programs open to all modes of transportation: the Surface Transportation Program (STP), and the Congestion Mitigation and Air Quality Improvement Program (CMAQ). Both programs stress the need to select the best projects for overall mobility, taking into account other important community and environmental factors. States may also transfer some or all funds to STP from traditional categories such as the Interstate and Bridge programs and from the new National Highway System program, making most Title I funds fully flexible (see enclosed chart, "ISTEA: Facts and Flexibility").

In addition to the flexibility provided for by ISTEA, the law levels the playing field among modes by instituting a uniform federal match for most road and transit projects of 80 percent federal funds to 20 percent state or local funds. Under previous law, federal-aid road projects were eligible for up to a 95 percent federal match, compared to a 70 percent match for transit.

4. Why is planning so important?

It is only through planning that the multiple, complex factors that make up a community vision can be balanced. For forty years, the majority of transportation decisions have been made project by project with little overall coordination among them, and virtually no coordination with other important community goals such as regional growth and land use, energy use, access to jobs and housing, and the need for environmental protection and recreation. ISTEA creates a framework for comprehensive planning by requiring metropolitan and state planners to consider a full set of factors in order to better coordinate these decisions.

5. Why is the public so important?

Because they are experts at the obvious. Sometimes professionals become so good at their work they forget to see the context in which they're working. Citizens ask questions like, "Do we need this project?" "Does it have to look like this?" "What will the neighborhood be like in twenty years if we allow this project?" Under ISTEA, professionals are asked to scrutinize such questions and to seek the help of citizens in doing so.

But citizens have new responsibilities under ISTEA, too. They must recognize that professionals are called upon to coordinate projects at a regional level and weigh decisions for the good of a metropolitan or statewide area. The better educated citizens can become about the regional or state context for decisions, the more effective they'll be as community advocates.

6. What are transportation enhancements?

ISTEA reserves 10 percent of the funds authorized for the STP for a category of activities called transportation enhancements. These include facilities for bicycles and pedestrians; scenic improvements, easements and byway programs; landscaping and beautification; historic preservation; preservation of abandoned railway corridors; archaeological planning and research; and some water quality protection activities. To be eligible for enhancements funds, a project must go beyond the basic mitigation of negative impacts on cultural or natural resources or routine access for bicycles and pedestrians. And enhancements activities, along with all proposed activities, must be incorporated into the transportation planning process.

7. Who is responsible for regional planning? For state planning?

The Metropolitan Planning Organization (MPO) is the designated regional planning agency for any urbanized area with over 50,000 population. In rural areas, local officials with jurisdiction over transportation must be consulted by the state in carrying out its plan. The state Department of Transportation is the designated agency for state planning. The Governor also has the responsibility to involve citizens in developing the state Transportation Improvement Program (TIP), the two-year state program from which projects are selected at the state level.

8. How are ISTEA and the Clean Air Act related?

Both laws seek to solve our transportation and air quality problems by mandating coordinated planning to meet the wide range of mobility, environmental and community goals. The Clean Air Act Amendments of 1990 (CAAA) serves to drive regional and state decisionmaking for transportation by imposing strict deadlines on nonattainment areas to improve their air quality, and calling for sanctions on federal transportation funding if those deadlines are not met. ISTEA provides states and regions with the resources and funding incentives to plan for and implement a wide range of transportation control measures.

For more information, contact the Surface Transportation Policy Project, 1400 Sixteenth Street, N.W., Washington, D.C. 20036. Telephone: 202/939-3470. The STPP is a network of diverse organizations and coalitions whose goal is to develop a national transportation policy that better serves the environmental, social and economic interests of the nation. The work of STPP is made possible by grants from the Nathan Cummings Foundation, the Educational Foundation of America, the Energy Foundation, the Joyce Foundation, the James C. Penney Foundation, Inc., The Pew Charitable Trusts, and the Surdna Foundation.



**USDA Forest Service
Washington Office
Civil Rights Staff
Equal Opportunity Program
Environmental Justice Program**

Environmental Justice Resource Guide

II.

Sources of Assistance

Office of Environmental Justice (OEJ)

EPA Environmental Justice Fact Sheet

National Environmental Justice Advisory Council (NEJAC)

*All communities and persons across this Nation should live
in a safe and healthful environment.*

With these words, President Clinton issued Executive Order 12898 on February 11, 1994 to establish environmental justice as a national priority. This was the first Presidential effort to direct all federal agencies with a public health or environmental mission to make environmental justice an integral part of their policies and activities. The Order, entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," focuses federal attention on the environmental and human health conditions of minority populations and low-income populations with the goal of achieving environmental protection for all communities.

In 1993, Administrator Browner made environmental justice an EPA priority. She stated that "many people of color, low-income and Native American communities have raised concerns that they suffer a disproportionate burden of health consequences due to the siting of industrial plants and waste dumps, and from exposure to pesticides or other toxic chemicals at home and on the job and that environmental programs do not adequately address these disproportionate exposures...EPA is committed to addressing these concerns and is assuming a leadership role in environmental justice to enhance environmental quality for all residents of the United States. Incorporating environmental justice into every day Agency activities and decisions will be a major undertaking. Fundamental reform will be needed in Agency operations."

ESTABLISHING AN INFRASTRUCTURE

In response to public concerns, EPA created the Office of Environmental Justice in 1992 and implemented a new organizational infrastructure to integrate environmental justice into EPA's policies, programs, and activities. Three new interagency groups were formed: An **Executive Steering Committee** is made up of senior managers representing each

headquarters office and representatives from each region. It provides leadership and direction on strategic planning to ensure that environmental justice is incorporated into agency operations; the **Policy Working Group** is made up of senior staff of headquarters and regions to ensure that cross-media policy development and coordination occurs at all levels. The third and most active group is the **Environmental Justice Coordinators Council** which serves as the frontline staff specifically responsible to ensure policy input, program development, and implementation of environmental justice throughout the Agency. This new structure has established a clear commitment from EPA's senior management to all personnel that environmental justice is a priority.

OBTAINING STAKEHOLDER ADVICE - NEJAC

The functions of this Council cannot be performed within the Agency. This council is the first time that community, industry and state/local government groups have been brought together where a dialogue can begin to "reinvent" solutions to environmental justice problems. It is essential that such a dialogue occur. In addition, the NEJAC provides a valuable forum for integrating environmental justice with other EPA priorities and initiatives.

To ensure that the Agency would receive significant input from affected stakeholders, the NEJAC was established as a Federal Advisory Committee and chartered for two years effective 9/3/93. During its first two years, the NEJAC Council consisted of 23 members appointed from key environmental justice constituencies, which include community-based groups; business and industry; academic and educational institutions; state and local governments; tribal governments; non-governmental organizations; and environmental groups. The NEJAC Council also had four subcommittees to help develop strategic options for EPA. Each subcommittee was comprised of approximately 12 individuals knowledgeable in the subject area, from the NEJAC Council as well as from other stakeholder organizations. These were: **Waste and Facility Siting;**

Enforcement, Health and Research; and Public Participation and Accountability. Contact the federal employee responsible for overseeing each one named below.

ACCOMPLISHMENTS

During the 1993-95 period, the NEJAC produced a number of products and provided consensus advice to help the Agency focus its environmental justice agenda. For example, the initial draft of EPA's Environmental Justice Strategy required by Executive Order 12898 was reviewed and substantive recommendations made; the Office of Solid Waste and Emergency Response's Facility Siting Criteria document was reviewed; a public forum protocol was developed and subsequently used as the model for the first Interagency Public Meeting on Environmental Justice (Atlanta, 1/19/95); health and research projects to identify high risk communities were developed; reviewed and commented on the Agency's enforcement and compliance work plan; and public dialogues were conducted in five major cities concerning possible solutions to urban crises resulting from loss of economic opportunities caused by pollution and relocation of businesses.

MEETING DATES AND LOCATIONS

When funds permit, meetings are held at different locations to ensure that local concerns can be expressed in the open forum provided by the NEJAC. The first meeting was held May 20, 1994 in Washington, D.C., followed by meetings in Albuquerque, NM, August 3-5, 1994; Herndon, VA, October 25-27, 1994; Atlanta, GA, January 17-19, 1995; Washington, DC, July 25-27, 1995; Washington, DC December 12-14, 1996. The Executive Summary of the last meeting is attached.

NEXT MEETING: May 21-23, 1996
Detroit, MI

The hotel location will be
announced in the Federal
Register.

PUBLIC MEETINGS

The Executive Order provided for agencies to hold public meetings to receive comments, questions, and recommendations regarding environmental justice issues.

On January 20, 1995, an Interagency Public Meeting on Environmental Justice was conducted at Clark Atlanta University in Atlanta, Georgia, in conjunction with the NEJAC meeting. Ten agencies and over 350 people attended the day-long event. In addition, an estimated 1,000 people watched the evening session, which was televised via satellite to approximately 40 locations across the nation including Puerto Rico. The purpose of the meeting was to provide an opportunity for the public to share concerns and recommend changes in the federal agencies' environmental justice strategies. Extensive comments were provided by stakeholders throughout the day. All comments and responses were recorded in a transcript that is available to the public.

On December 12, 1995, the first satellite downlink during the Public Comment Period was performed during the NEJAC meeting held in Washington, DC. Two sites in Puerto Rico were able to verbally provide public comments from community groups and citizens otherwise unable to address the NEJAC. This type of communication vehicle will be explored for future public comment sessions with remote communities.

For General Information Call 1-800-962-6215
Marva E. King or Linda K. Smith

PUBLIC COMMENT PERIOD

Each NEJAC meeting has at least 2 hours for members of the public to register and make statements before the full NEJAC. The comments are recorded and maintained as a part of the public record of each meeting. Each meeting record is available to the public in Room 2224 South Oval, Ariel Rios Building, 1200 Pennsylvania Avenue, Washington, D.C. 20044. In some cases hard copies are available. Call the Information Line.

RENEWING MEMBERSHIP

The Federal Advisory Committee Act requires that a committee be rechartered every two years and that membership be rotated to provide the widest participation possible by the greatest number of stakeholders. Therefore, NEJAC has been rechartered for two additional years, two new subcommittees--International and Indigenous People--established, and memberships rotated.

MEMBERSHIP OF NEJAC

Academia

Dr. Robert Bullard
Dr. Mary English
Dr. Richard Lazarus
Dr. Beverly Wright

Clark Atlanta
University of Tennessee
Washington University
Xavier University

Industry

Mr. John Borum
Mr. Charles McDermott
Mr. Lawrence Hurst
Mr. Michael Pierle

AT&T
Waste Management, Inc.
Motorola, Inc.
Monsanto

Community Groups

Ms. Dolores Herrera
Ms. Hazel Johnson
Vacant Seat

San Jose Community Awareness Cncl.
People for Community Recovery

Non-Government

Mr. Charles Lee
Mr. John O'Leary
Mr. Baldemar Velasquez
Mr. Haywood Turrentine

U.C. of Christ Comm. for Racial Justice
Pierce, Atwood & Scribner
Farm Labor Organizing Committee
Laborers-AGC Ed./Trng. Fund

State/Local

Mr. Salomón Rondón-Tollens
Ms. Velma Voloria
Mr. Arthur Ray
Tribal
Vacant Seat

Natl. Resources & Envtl. Qual. Comm.
Washington State Legislature
Maryland Department of Environment

Ms. Jean Gamache, Esq.

Tlignit/Haida Indian Tribes of Alaska
Lake Superior Chippewa

Mr. Walter Bresette

Environmental Organizations

Mr. Richard Moore
Ms. Peggy Saika
Ms. Nathalie Walker
Ms. Deohn Ferris

SW Network for Env & Econ. Justice
Asian Pacific Environment Network
Sierra Club Legal Defense Fund
Washington Office for Envtl. Justice



EPA Boletín Informativo

de Justicia Ambiental

Consejo Consultivo Nacional de Justicia Ambiental (NEJAC)

Todas las comunidades y personas a través de ésta Nación deberán vivir en un ambiente seguro y saludable.

Con estas palabras, el Presidente Clinton firmó el 11 de febrero de 1994 la Orden Ejecutiva 12898 para establecer justicia ambiental como una prioridad nacional. Esto es el primer esfuerzo Presidencial para dirigir a todas las agencias federal hacia una misión de salud pública y ambiental y lograr incorporar en sus políticas públicas y actividades justicia ambiental. La Orden, titulada "Acciones Federal para Señalar Justicia Ambiental en las Poblaciones de Minoría y las Poblaciones de Ingresos-Bajos," enfoca la atención federal en las condiciones del ambiente y la salud humana de las poblaciones de minoría y de ingresos-bajos con la meta de lograr protección para todas las comunidades.

En el 1993, la Administradora Browner hizo justicia ambiental una prioridad de la EPA. Ella señaló que "muchas personas de color, de ingreso-bajo y las comunidades de Americanos Nativos han levantado preocupaciones de que ellos sufren la consecuencia de lo altamente desproporcionado y adverso en la salud humana, debido a la localización de las plantas industriales y las facilidades de tratamiento de desperdicios sólidos peligrosos, y estar expuestos a pesticidas o otros químicos tóxicos en sus hogares y en el trabajo y también los programas ambientales no señalan adecuadamente ésta desproporción de exposición...la EPA está comprometida a señalar estas preocupaciones y asumir un rol de liderazgo en justicia ambiental para ampliar la calidad ambiental para todos los residentes de los Estados Unidos. Incorporar cada día la justicia ambiental en las actividades y decisiones de la Agencia va ser una gran empresa. Una reforma fundamental va ser necesaria en las operaciones de la Agencia."

ESTABLECIENDO UNA INFRAESTRUCTURA

Respondiendo a las preocupaciones públicas, la EPA creó en el 1992 la Oficina de Justicia Ambiental e implementó una nueva infraestructura organizacional para integral justicia ambiental dentro de las políticas públicas, programas, y actividades. Se formaron tres grupos nuevos interagenciales: el Comité Ejecutivo Directivo que está compuesto de gerentes de alta

jerarquía de la oficina principal y los representantes de cada región. Esto provee liderazgo y dirección en la planificación de la estrategia que asegura la incorporación de justicia ambiental en las operaciones de la agencia; el Grupo de Trabajo de Política Pública está compuesto por un personal de alto nivel en la gerencia de la oficina principal y por las regiones para asegurar que el desarrollo de la política pública y la coordinación ocurren a todos los niveles e interrelaciona las diferentes áreas temáticas. El grupo tercero y más activo es el Consejo de Coordinadores en Justicia Ambiental. Ellos sirven como empleados de línea de frente y son específicamente responsable de asegurar el que la política pública, el desarrollo de programa, e implementación tengan justicia ambiental a través de la Agencia. Esta nueva estructura establece un compromiso de la gerencia y de todo empleado a reconocer que justicia ambiental es una prioridad.

EPA OBTIENE CONSEJO DE TODOS LOS INTERESADOS ATRAVÉS DEL NEJAC

Las funciones de este Consejo no puede llevarse a cabo desde dentro de la Agencia. Por primera vez este Consejo ha conseguido que se junten la comunidad, la industria y los grupos del gobierno del estado y del gobierno local y donde el diálogo puede comenzar a "reinventar" soluciones a problemas de justicia ambiental. Es muy esencial que estos diálogos ocurran. En adición, el NEJAC provee un foro invaluable para integrar justicia ambiental junto con otras prioridades e iniciativas de la EPA.

Para asegurar que la Agencia va a recibir información significativa de parte de los interesados afectados, el NEJAC fue establecido como un Comité para Consejo Federal y constituido por un periodo de dos años a partir del 3 de septiembre de 1993. Durante sus primeros dos años, el Consejo NEJAC consistió de 23 miembros recomendados por grupos claves en justicia ambiental, el cual incluyó grupos de base; industria y negocio; instituciones educativas y las universidades; gobiernos estatal y local; gobiernos de tribus; organizaciones no-gubernamentales; y grupos ambientalistas. El Consejo NEJAC tiene cuatro subcomité para ayudar a desarrollar opciones estratégicas para la EPA. Cada subcomité está compuesto por aproximadamente 12 individuos peritos en las

áreas de interés, incluyendo miembros del Consejo NEJAC como también de las organizaciones interesadas. Estos son: Desperdicios y Vertederos; Legalidad; Salud e Investigación; y Participación Pública y Contabilidad. Usted puede hacer contacto con el empleado federal responsable de cada sub-comité listados al final de este boletín.

LOGROS

Durante el periodo de 1993-95, el NEJAC preparó una cantidad de documentos y ofreció consejos como grupo para ayudar a la Agencia a enfocar su agenda de justicia ambiental. Por ejemplo, el NEJAC hizo la revisión y ofreció recomendaciones sustanciales al borrador inicial de la Estrategia de Justicia Ambiental de la EPA como respuesta a la Orden Ejecutiva 12898; la revisión del documento sobre Criterios para Facilidades de Desperdicios de la Oficina de Desperdicios Sólidos y Respuesta de Emergencia; desarrollaron un foro de protocolo público y como consecuencia fue usado como el modelo para la primera Reunión Pública Nacional Interagencial en Asuntos de Justicia Ambiental (Atlanta, 19/01/95); desarrollaron proyectos de salud e investigaciones para identificar comunidades de alto nivel de riesgo; se condujo una revisión del plan de trabajo de ejecución legal de la Agencia; y se llevaron a cabo diálogos públicos en cinco ciudades grandes concernientes a posibles soluciones a crisis urbanas como resultado de las pérdidas de oportunidades económicas causadas por la contaminación y la relocalización de negocios.

FECHAS DE REUNIONES Y LUGARES

Según los fondos permiten, las reuniones se efectúan en diferentes localidades para asegurar que las preocupaciones locales pueden ser expresadas en foros abiertos proveídos por el NEJAC. La primera reunión se hizo el 20 de mayo de 1994 en Washington, D.C., seguida por reuniones en Albuquerque, Nuevo Méjico, 3-5 Agosto del 1994; Herndon, Virginia, el 25-27, de octubre de 1994; Atlanta, GA, 17-19 de enero de 1995; y Washington, DC, 25-27 de julio de 1995.

PRÓXIMA REUNIÓN: 12-14 DICIEMBRE 1995 Washington, D.C. - Llame la línea gratuita o esté pendiente del Registro Federal para mas información

REUNIONES PÚBLICAS

La Orden Ejecutiva permite a las agencias sostener reuniones públicas para recibir comentarios, preguntas y recomendaciones en relación a asuntos de justicia ambiental.

El 20 de enero de 1995, se condujo una Reunión Pública Interagencial sobre Justicia Ambiental en la Universidad Clark en Atlanta, Georgia, en conjunto con la reunión del NEJAC. Diez agencias y un estimado de 350 personas atendieron el evento de un día. Además, un estimado de 1,000 personas observaron las secciones de la tarde por medio de televisión via satélite en 40 localizaciones a través de la nación incluyendo Puerto Rico. El propósito de la reunión fue permitir la oportunidad del público en compartir sus preocupaciones y recomendar cambios a las estrategias de justicia ambiental de las agencias federal. Los interesados presentaron comentarios

extensivos durante todo el día. Todos los comentarios y respuestas fueron transcritos y están disponibles al público.

Para Información en General Llame al 1-800-962-6215
Marva E. Kling or Linda K. Smith

PERÍODO DE COMENTARIO PÚBLICO

En cada reunión del NEJAC el público tiene un periodo de 2 horas disponible para registrarse y presentar su punto de vista a todo el NEJAC. Los comentarios se gravan y se mantienen como parte del archivo del público para cada reunión. Cada archivo de la reunión está disponible en el Salón 2636 del Waterside Mall, 401 M Street SW, Washington, D.C. 20460. En algunos casos tenemos disponibles copias escritas. Llame la Línea de Información.

POSTULACIÓN DE MIEMBROS PARA EL NEJAC

El Acta Federal de Comité de Consejo requiere que el comité sea reconstituido cada dos años y que la membresía sea rotativa para permitir la más amplia participación posible de todos los interesados. Por lo tanto, el NEJAC ha sido reconstituido por dos años adicionales, dos nuevos sub-comités han sido establecidos -Internacional y Gente Indígenas- y los miembros han sido rotados.

LOS MIEMBROS DEL NEJAC

Academia Universitaria

Dr. Robert Bullard
Dr. Mary English
Dr. Richard Lazarus
Dr. Beverly Wright

Industria

Mr. John Borum
Mr. Charles McDermott
Mr. Lawrence Hunt
Mr. Michael Pierle

Grupos de la Comunidad

Ms. Dolores Herrera
Ms. Hazel Johnson
Dr. Jean Sindab

No-Gubernamentales

Mr. Charles Lee
Mr. John O'Leary
Mr. Baldemar Velasquez
Mr. Haywood Turrentine
Estado/Local
Mr. Salomon Rondon-Tollens

University of Clark Atlanta, Georgia
University of Tennessee
University of Washington
University of Xavier

AT&T

Waste Management, Inc.
Motorola, Inc.
Monsanto

San Jose Community Awareness Cncl.
People for Community Recovery
National Council of Churches

U.C. of Christ Comm. for Racial Justice
Pierce, Atwood & Scribner
Farm Labor Organizing Committee
Laborers-AGC Ed/Tmg. Fund

Natural Resources & Environmental Quality
Commission in Puerto Rico
Washington State Legislature
Maryland Department of Environment

Native Action

Tlignit/Haida Indian Tribes of Alaska
Lake Superior Chippewa

SW Network for Env. & Econ. Justice
Asian Pacific Environment Network
Sierra Club Legal Defense Fund
Washington Office for Env't Justice

Ms. Velma Veloria

Mr. Arthur Ray

Tribus

Ms. Gail Small

Ms. Jean Gamache, Esq.

Mr. Walter Brasette

Organizaciones Ambientalistas

Mr. Richard Moore

Ms. Peggy Saita

Ms. Nathalie Walker

Ms. Deochin Ferris

Para Información Específica Llame al Oficial Federal Nombrado a continuación

SUBCOMITÉ

NEJAC

Enforcement
Health & Research
Public Participation
Waste/Facility Siting
International
Indigenous People

OFICIAL FEDERAL

Dr. Clarice Gaylord - 202-260-6357
Ms. Sherry Milan - 202-260-9807
Mr. Lawrence Martin - 202-260-0673
Mr. Robert Knox - 202-260-8195
Ms. Jan Young - 202-260-1691
Pending
Ms. Elizabeth Bell - 202-260-8106

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ADVISORY COMMITTEE CHARTER

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

1. AUTHORITY AND PURPOSE This Charter establishes the National Environmental Justice Advisory Council (NEJAC) in accordance with the requirements of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. II 9(c). The purpose of the NEJAC is to advise, consult with, and make recommendations to the Administrator of EPA on matters relating to environmental justice.

2. SCOPE OF ACTIVITY The NEJAC will provide advice to the Administrator of EPA through the Office of Environmental Equity on issues related to managing environmental justice as defined in section 3. The NEJAC shall hold meetings, analyze issues, conduct reviews, perform studies, produce reports, make necessary recommendations and undertake other activities necessary to meet its responsibilities. The NEJAC will also provide advice on the process that the Office of Environmental Equity develops to administer grant programs but will not review nor make recommendations on individual grant proposals. The NEJAC will also give advice and provide recommendations on possible outreach and awareness programs involving environmental justice. NEJAC subcommittees may be formed to facilitate the conduct of NEJAC business and report back to the full Council. The Council will function solely as an advisory body, and will comply fully with the provisions of FACA.

3. OBJECTIVES The NEJAC shall provide independent advice to the Administrator on areas relating to environmental justice that may include the following:

- o EPA's framework for integrating socio-economic programs into strategic planning, annual planning and management accountability for achieving environmental justice results agency-wide.
- o EPA's progress, quality, and adequacy in planning, developing, and implementing environmental justice strategies, projects, and programs.
- o EPA's existing and future information management systems, technologies, data collection, and analyses that support and strengthen environmental justice programs in administrative and scientific areas.

ADVISORY COMMITTEE CHARTER

employee of the Agency will serve as the Designated Federal Officer (DFO) and will be present at all meetings. The DFO is authorized to adjourn any meeting whenever it is determined to be in the public interest to do so.

5. MEETINGS The Council will meet twice each year and more often if deemed necessary by the DFO. Each meeting will be conducted in accordance with an agenda approved in advance by the DFO. Budgetary support for the NEJAC is provided through the Office of Environmental Equity. The estimated annual operating cost of the Council is approximately \$50,000 which includes a .5 work-year for staff support.

6. DURATION The Council shall be needed on a continuing basis and may be renewed beyond its initial two-year period, as authorized in accordance with section 14 of FACA.

MAY 23 1993

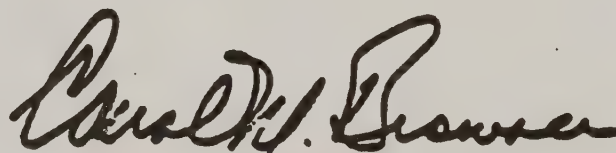
Agency Approval Date

SEP - 9 1993

OMB Approval Date

SEP 30 1993

Date Filed with Congress



Carol M. Browner
Administrator

**NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL (NEJAC)
CHARGE – WHAT THE NEJAC WILL FOCUS ON**

THE COUNCIL WILL DRAW ON EXPERTISE OF ITS MEMBERS AND OTHER SOURCES TO PROVIDE INDEPENDENT ADVICE TO THE ADMINISTRATOR ON AREAS RELATING TO ENVIRONMENTAL JUSTICE. AREAS INCLUDE BUT ARE NOT LIMITED TO PROVIDING ADVICE ON:

- **PROMOTING COOPERATIVE AND SUPPORTIVE RELATIONSHIPS AIMED AT ESTABLISHING EFFECTIVE ENVIRONMENTAL JUSTICE ISSUES AT THE FEDERAL, STATE, LOCAL AND TRIBAL GOVERNMENT LEVELS**
- **EVALUATING EPA'S DEVELOPMENT, IMPLEMENTATION AND ENFORCEMENT OF NATIONAL ENVIRONMENTAL JUSTICE POLICIES AND PROGRAMS**
- **IDENTIFYING ADMINISTRATIVE AND LEGISLATIVE OPTIONS TO IMPROVE THE POLICIES AND PROGRAMS**
- **REVIEWING RESEARCH AND DATA MANAGEMENT SYSTEMS TO SUPPORT AND STRENGTHEN ENVIRONMENTAL JUSTICE PROGRAMS**
- **PROMOTING AWARENESS, EDUCATION, AND OUTREACH STRATEGIES INVOLVING ALL STAKEHOLDERS**

APPENDIX I - EPA NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL CHARTER MEMBERSHIP

COUNCIL:

Richard Moore, Chair

Clarice Gaylord, Designated Federal Official

| | |
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| Mable Butler | Orange County Florida Commissioner |
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| Deeohn Ferris | Washington Office for Environmental Justice |
| John Hall | Texas Natural Resources Conservation Comm. |
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| Hazel Johnson | People for Community Recovery |
| Richard Lazarus | Washington University School of Law |
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| Charles McDermott | Waste Management, Inc. |
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| Gail Small | Native Action |
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| Baldemar Velasquez | Farm Labor Organizing Committee |
| Velma Veloria | Washington State Legislature |
| Nathalie Walker | Sierra Club Legal Defense Fund |
| Beverly Wright | Xavier University |

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| Dolores Herrera* | Albuquerque San Jose Community Awareness |
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| Donald Elisburg | Laborer's Intl. Union of North America |
| David Hahn-Baker | Inside-Out |
| Lillian Kawasaki | LA Department of Environment |
| Tom Kennedy | ASTSWHO |
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| Mildred McClain | Citizens for Environmental Justice |
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| Jean Sindab* | National Council of Churches |
| Lenny Siegel | Pacific Studies Center |
| Jonathan Taylor | Cherokee Nation |
| Connie Tucker | Southern Organizing Committee |
| Velma Veloria* | State of Washington |
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| Pat Williams | NWF |

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| Richard Lazarus* | Washington University |
| Richard Moore* | SW Network for Env. & Econ. Justice |
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| Art Ray | PEPCO |
| Gail Small* | Native Action |

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Lawrence Martin, Designated Federal Official

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| Herman Ellis* | Rohm and Haas Company |
| Benjamin Goldman | Jobs & Environment Campaign |
| Tom Goldtooth | Red Band of Chippewa Indians |
| Hazel Johnson* | People for Community Recovery |
| Chuck McDermott* | Waste Management, Inc. |
| Raphael Metzger | COSSHMO |
| Dr. Janet Phoenix | National Safety Council |
| Bailus Walker | University of Oklahoma |

* Denotes Members of Council

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Dr. Beverly Wright - 1 year
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Washington, D.C. 20036

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Executive Director
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Mr. Haywood Turrentine - 2 years
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Ms. Nathalie Walker - 1 year
Sierra Club Legal Defense Fund
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New Orleans, LA 70130

Ms. Deoohn Ferris - 1 year
Washington Office for Environmental Justice
1511 K St. NW, Suite 1147
Washington, D.C. 20005

Rural Economic and Community Development

Rural Business and Cooperative Development Service

Empowerment Zones and Enterprise Communities

The Empowerment Zones and Enterprise Communities (EZ/EC) is a Presidential initiative designed to afford communities real opportunities for growth and revitalization. Its mission: To create self-sustaining, long-term economic development in areas of pervasive poverty, unemployment, and general distress, and to demonstrate how distressed communities can achieve self-sufficiency through innovative and comprehensive strategic plans developed and implemented by alliances among private, public, and nonprofit entities. The rural portion of the program is administered through the Rural Business and Cooperative Development Service, part of USDA's Rural Economic and Community Development mission area.

Basic program framework:

The framework of the EZ/EC program is embodied in four key principles:

- Economic Opportunity, including job creation within the community and throughout the region, entrepreneurial initiatives, small business expansion, and training for jobs that offer upward mobility;
- Sustainable Community Development, to advance the creation of liveable and vibrant communities through comprehensive approaches that coordinate economic, physical, environmental, community, and human development;
- Community-Based Partnerships, involving participation of all segments of the community, including the political and governmental leadership, community groups, health and social service groups, environmental groups, religious organizations, the private and non-profit sectors, centers of learning, other community institutions, and individual citizens; and
- Strategic Vision for Change, which identifies what the community will become and a strategic map for revitalization.

This program is seen as just the first step in rebuilding poverty-stricken communities in America's rural heartland. It is designed to empower people and communities all across the Nation by inspiring Americans to work together to create jobs and opportunity. Under the auspices of title XIII of the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66) that created the program, the Secretary of Agriculture has designated 3 rural Empowerment Zones and 30 Enterprise Communities.

Program Operations: They All Start Locally

Communities, with the cooperation of their State and local governments, have developed strategic plans for combining public and private resources. These strategic plans will guide the communities during implementation of their portion of the EZ/EC program. USDA State Rural Economic and Community Development (RECD) staffs will have day-to-day oversight responsibility for the program and help communities coordinate various resource needs by serving as facilitator for strategic plan implementation. State staffs will be backed up by a small cadre of specialists in the National Office of the Rural Business and Cooperative Development Service. The National staff will continue the job of providing overall program policy, national program partnerships, program facilitation, opening new doors to the Federal Government for communities, and serving as liaison to the President's Community Enterprise Board.

Program Features

Every applicant to the program will benefit through:

- Technical assistance provided in strategic plan development, partnership building, and leadership development.
- Two Health and Human Services Title XX grants totaling \$40 million for each Empowerment Zone and one Title XX grant of up to \$3 million for each Enterprise Community.
- Employer tax credits to eligible Empowerment Zone employers equal to 20 percent of the first \$15,000 of wages or training expenses for qualified Empowerment Zone employees.
- Tax-free facility bonds of up to \$3 million for some Empowerment Zones and Enterprise Communities.
- Additional \$20,000 tax deduction for qualified businesses on investments in Empowerment Zones.
- Increased coordination of Federal programs.

Selected Communities

Communities received EZ/EC designation based on excellence in:

- Innovative, comprehensive, and effective strategic plans;
- Strength of involvement of low-income residents and local organizations;
- Ability to address comprehensively the elements relating to economic opportunity, sustainable community development, community-based partnerships, and their strategic vision for change;
- Degree of need and diversity within and among the nominated areas; and
- Strategic plan effectiveness in building economic self-sufficiency for communities and residents.

Out of this process emerged 33 communities, encompassing a rural population of more than 625,000 over a total area of more than 15,000 square miles in 24 States. These communities average more than 18,000 residents scattered over a 450-square-mile area. On average, the poverty rate for these communities exceeds 36 percent and the unemployment rate exceeds 14 percent.

All the Empowerment Zones and Enterprise Communities shared a big item in common—the desire and drive to look toward the future and work together to build a plan that would take them toward a new beginning. These communities have dared to dream a vision of a better tomorrow for rural America. A place where young people wish to remain after they complete high school; a place where farmers can make a good living from their land; and a place where businesses flourish with access to capital and to

necessary technology. Many of America's everyday challenges are magnified in rural America by poverty, distance, and neglect. The goal of EZ/EC is for all Americans to share in the resources that this nation has to offer.

For more information please call:

USDA EZ/EC Team at 202-619-7980 or
1-800-645-4712

Reporters Bldg., Room 701
300 7th St., SW.
Washington, D.C. 2004

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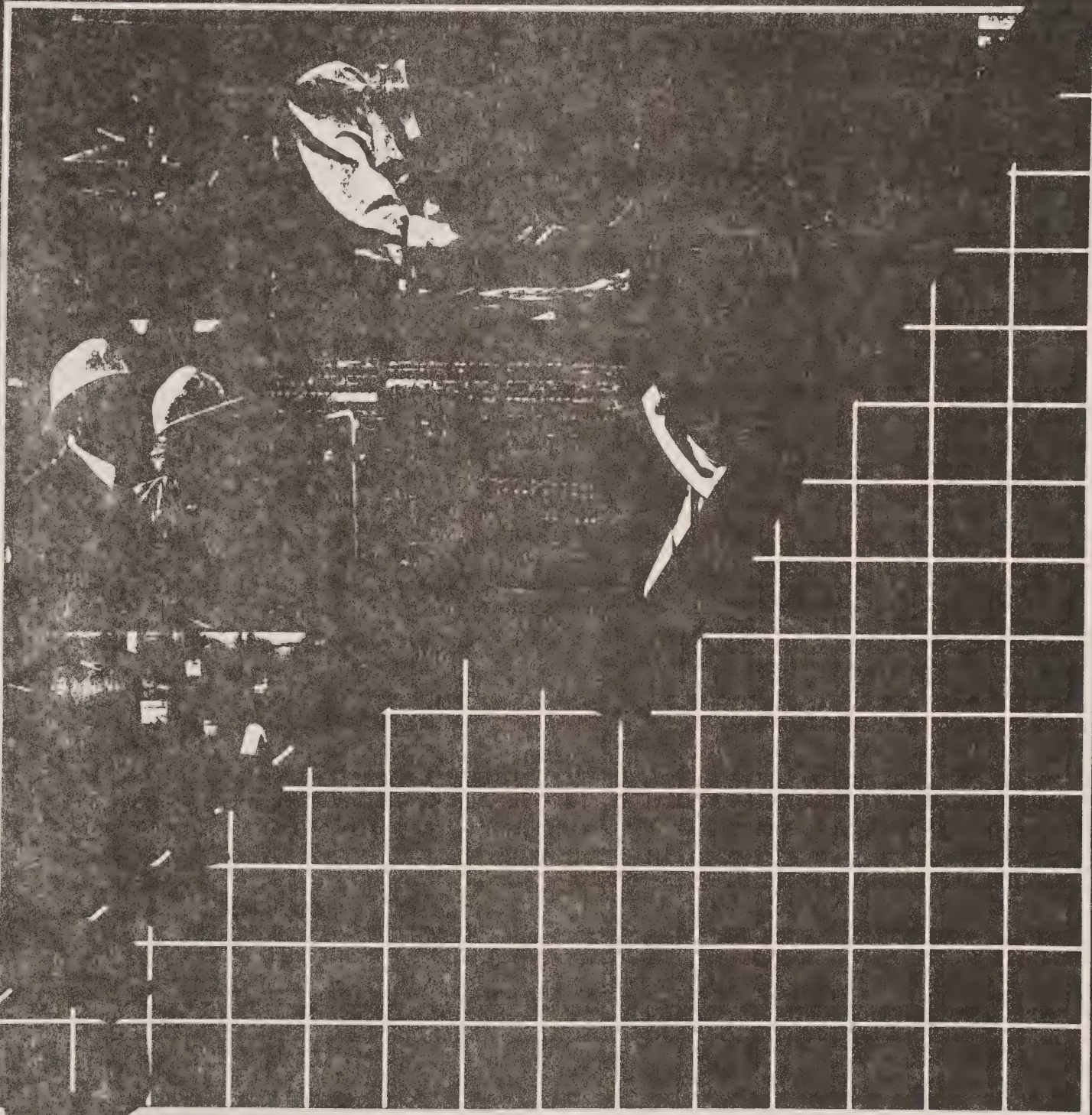
website: <http://www.ezec.gov>

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June 1995



State and Tribal Partnerships to Promote Jobs Through Recycling



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Jobs Through Recycling: RBACs and REDAs

What Is the Connection Between Jobs and Recycling?

Across America, more individuals, organizations, businesses, and governments are collecting materials for recycling than ever before. The number of curbside recycling programs has grown 500 percent over the past five years. In fact, recycling is now managing almost one quarter of all waste generated in the United States.

But keeping valuable resources out of landfills is only part of the recycling story. Recycling also creates new businesses that haul, process, and broker recovered materials, as well as companies that manufacture and distribute recycled products. And these recycling businesses put people to work.

Recycling is estimated to create nearly five times as many jobs as landfilling. One study reported that 103,000 jobs, or 2.7 percent of all manufacturing jobs in the Northeast region of the United States, are attributable to recycling. The jobs created by recycling businesses draw from the full spectrum of the labor market (ranging from low- and semi-skilled jobs to highly skilled jobs). Materials sorters, dispatchers, truck drivers, brokers, sales representatives, process engineers, and chemists are just some of the jobs needed in the recycling industry. Recycling is actively contributing to America's economic vitality.

What is EPA's *Jobs Through Recycling Initiative*?

EPA is helping to fuel this growth in the recycling industry through its *Jobs Through Recycling Initiative*. The Initiative puts the tools of business development—technology transfer, financing, and marketing—into the hands of recycling businesses. It facilitates cooperation and communication among solid waste officials, economic development organizations, and businesses involved in collecting, processing, remanufacturing, and selling products made from recovered materials.

The *Jobs Through Recycling Initiative* has three goals:

- Expand markets for recycled materials.
- Stimulate economic development.
- Create jobs.

How Will the Initiative's Goals Be Achieved?

Through grants to states and tribes, EPA is focusing its resources on the following four components of the Initiative:

- *Recycling and Reuse Business Assistance Centers (RBACs)*: Located in state solid waste or economic development agencies, these centers provide recycling businesses with the customized and targeted help they need to be successful.
- *Recycling Economic Development Advocates (REDAs)*: Hired by a state or tribal economic development office, these specialists seek to focus the traditional tools of their office—financial, marketing, and permitting assistance—on recycling business creation, and to coordinate solid waste and economic development efforts.
- *Recycling Technology Assistance Partnership (ReTAP) National Network*: Designed as a national information-sharing resource, ReTAP will ensure that technical knowledge gained in one corner of the United States spreads throughout the country to help businesses and manufacturers increase their use of recovered materials.
- *Interagency Cooperation*: Working closely with other agencies such as the National Institute of Standards and Technology (NIST) and the Department of Commerce, EPA is focusing federal expertise and resources on recycling business development.

How Are the RBACs and REDAs Fostering Recycling-Based Businesses?

The RBAC and REDAs are helping spawn new jobs and local and regional economic expansion. EPA's "seed money" is intended to create sustainable programs for continued recycling business development in future years. Demonstrating efficient systems for recycling economic development, these programs are already showing results.

RBACs

The four RBACs in California, Minnesota, North Carolina, and New York provide a unique mix of technical, business, financial, and marketing assistance to local enterprises using recovered materials. Each state RBAC developed activities to serve the specific needs in its jurisdiction, as shown on the matrix on the inside of this brochure. For example, some RBACs help site materials processing facilities and conduct technical pilot projects, while others help companies obtain reliable supplies of recovered material feedstocks.

REDAs

The 10 REDAs are professionals with backgrounds in both business development and recycling. They marshal and focus the resources of their offices to create opportunities all along the economic spectrum. Many REDAs are helping businesses market recovered materials, write business plans, and secure financing. More REDA activities are described on the matrix on the inside of this brochure.

Who Benefits From the REDA and RBAC Programs?

The REDAs and RBACs serve all of the parties involved in recycling. Specifically, they are helping...

Existing and Start-Up Recycling Businesses...

- Access technical information or engineering services to modify equipment to use recovered materials.
- Locate recovered material feedstocks.
- Write a business plan or prepare a loan application.

Solid Waste Officials...

- Obtain technical, marketing, and financial information for strategic integrated solid waste planning.
- Access information to decide which materials to add to a curbside collection program.
- Measure program impact.

Economic Development Officials...

- Assess long-term markets for recycled products.
- Identify funding sources.
- Expedite environmental permitting.

Financiers...

- Assess capital and operating cost requirements.
- Project rates of return.
- Identify promising recycling investment opportunities.

How Can I Access the REDAs and RBACs?

For more information on the RBAC and REDA programs, contact your EPA Regional Office or the individual REDAs or RBACs listed on the chart on the inside of this brochure. For information on ReTAP's National Network, contact the National Recycling Coalition (NRC) at 703 683-9025.

EPA Regional Office Contacts for the Jobs Through Recycling Initiative

Region 1 (CT, MA, ME, NH, RI, VT)

Cynthia Greene
617 223-5531

Region 2 (NJ, NY, PR, VI)

Barbara Belasco
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Region 3 (DE, DC, MD, PA, VA, WV)

Theresa Martella
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Sue Lindsey
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913 551-7523

Region 8 (CO, MT, ND, SD, UT, WY)

Paul Fuchs
303 745-8082

Region 9 (AZ, CA)

Paul Fuchs
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Region 10 (AK, HI)

Paul Fuchs
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United States
Environmental Protection Agency
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Washington, DC 20460

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Agriculture

Farmers
Home
Administration

Special Assistance for Beginning Farmers and Ranchers

There is a growing concern over the future of agriculture. Fewer young people are entering agriculture, and older farmers need additional avenues to transfer their land on to future generations.

USDA's Farmers Home Administration has created special programs to help both groups and to strengthen the base of American agriculture: the **downpayment farm ownership loan** program and the **special operating loan** program.

Who can get a loan?

Applicants must be considered a beginning farmer or rancher as determined by the FmHA County Committee. For downpayment loans, the applicant must provide at least 10 percent of the purchase price of the farm or ranch. For special operating loans, applicants must meet special requirements (*see below*).

A beginning farmer or rancher is an individual or entity who:

- Has never operated a farm or ranch, or has not operated one for more than 10 years.
- Will materially and substantially participate in the operation of the farm or ranch.
- Provides substantial day-to-day management and labor.
- Agrees to participate in FmHA loan assessment and borrower training programs.
- Does not own farm property, or who directly or through interests in family farm entities, does not own land totaling more than 15 percent of the average farm or ranch acreage of the county where the property is located.
- If the applicant is an entity, all members must be related by blood or marriage, and all stockholders in a corporation must be eligible beginning farmers or ranchers.

Downpayment loans

Loans may be made to provide an amount equal to 30 percent of the purchase price or appraised value, whichever is lower, of the property to be acquired. The applicant may request a lesser amount. The interest rate is set by law at 4 percent. The remaining balance, not to exceed 60 percent, may be guaranteed by FmHA. The purchase price or appraised value of the farm, whichever is lower, cannot exceed \$250,000.

Special operating loans

Loans may be made to pay for farm operating and family living expenses and to purchase farm animals and equipment. The limit on FmHA direct farm operating loans is \$200,000. The agency can guarantee loans up to \$400,000 for operating purposes.

An applicant for a special operating loan must:

- Have never operated a farm or ranch, or have not operated one for more than 5 years.
- Have sufficient education and experience during the 5-year period prior to applying for assistance to indicate that he or she is able to conduct a successful farming or ranching operation.
- Present a detailed 5-year plan of operation projecting (1) repayment each year of the plan, and (2) the ability to obtain credit elsewhere in 10 years.

Where to apply

Applications may be made at the FmHA County Office serving the county where the farming operation will be conducted. The local FmHA office is listed in the telephone directory under U.S. Government, Department of Agriculture, Farmers Home Administration.

Applicants who are considered beginning farmers or ranchers have the option of applying under the regular or special operating and ownership loan programs.

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November 1993

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United States
Environmental Protection
Agency

EPA 205-F-93-002
September 1993

Administration and Resources Management (3304)



Environmental Finance Program

**Helping States and
Communities Pay
for Environmental
Facilities and Services**



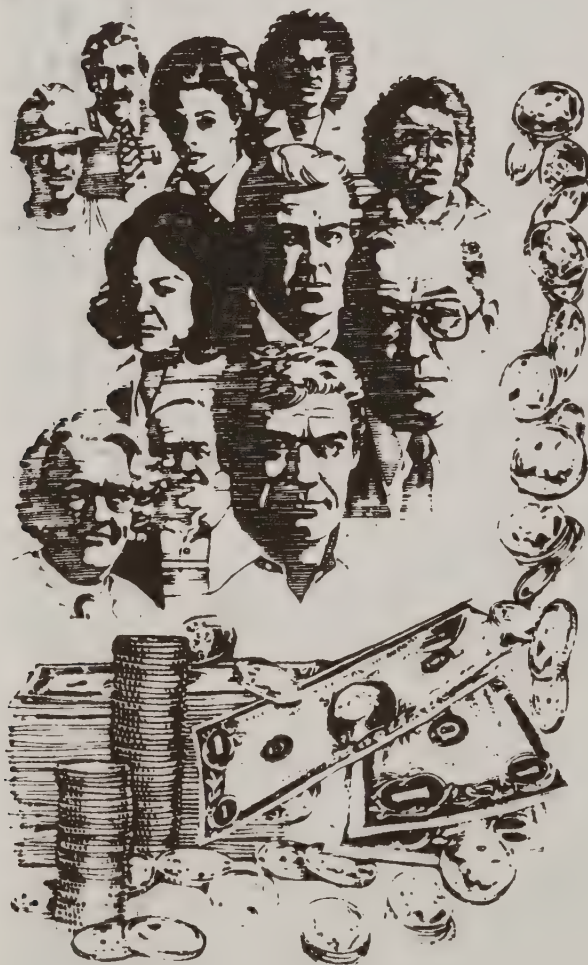
Office of Administration and Resources Management
Office of the Comptroller

What is Environmental Finance?

One of the major challenges of the 1990s is obtaining funds for environmental programs. The costs of environmental protection are growing rapidly. Yet our nation's ability to meet these rising costs is falling behind -- and the financing gap is widening. Consequently, the nation needs to make the effort to develop long-term funding strategies.

Because we live in times of scarce resources and competing priorities, the Environmental Protection Agency has developed the Environmental Finance Program to assist communities in their search for creative approaches to funding their environmental projects.

Environmental Finance is the art of paying for environmental facilities and services.



The objectives of EPA's Environmental Finance Program are to promote ways to manage the cost of environmental facilities and services that will:

- Build state and local capacity;
- Increase investment in public and private environmental infrastructure;
- Build partnerships;
- Encourage environmental justice; and
- Lower costs.

To achieve these objectives, the Environmental Finance Program uses many tools and techniques such as:

- Environmental Finance Publications;
- Environmental Financial Advisory Board;
- Environmental Finance Centers;
- Environmental Finance Coordinators;
- Environmental Financing Information Network; and
- Environmental Finance Demonstration Program.

How is the Environmental Finance Program Helping Communities?

Environmental Finance Publications

The Environmental Finance Program offers the following publications that state and local governments will find useful in financing environmental programs and facilities:

Public-Private Partnerships for Environmental Facilities: A Self-Help Guide for Local Governments;

Public-Private Partnerships Case Studies: Profiles of Success in Providing Environmental Services;

Financing Models for Environmental Protection: Helping Communities Meet Their Environmental Goals;

Alternative Financing Mechanisms for Environmental Programs;

Solid Waste Contract Negotiation Handbook; and

Narrowing the Gap: Environmental Finance for the 1990's. A Progress Report of the Environmental Financial Advisory Board.



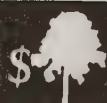
Environmental Financial Advisory Board (EFAB)

The EPA Environmental Finance Program manages the Environmental Financial Advisory Board (EFAB).

The Board is comprised of 33 prominent members of the public and private finance community. EFAB makes policy and program recommendations on a wide range of finance issues to the Administrator of the EPA. Board members meet semi-annually, and meetings are open to the public. Meetings are announced in the Federal Register.

The EFAB has developed advisories on the following important issues:

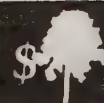
- Incentives for Environmental Investment: Changing Behavior and Building Capital;
- Small Community Financing Strategies for Environmental Facilities;
- Private Sector Participation in the Provision of Environmental Services: Barriers and Incentives;
- Public Sector Options to Finance Environmental Facilities;
- A Guide to Public Financing Options for the Clean Air Act of 1990;
- Urban Environmental Policy: Steps Toward Environmental Equity, Reduced Environmental and Health Risks, and Urban Revitalization; and
- Financing Environmental Infrastructure along the United States-Mexican Border and in Eastern Europe and the Former Soviet Republics.



Building State and Local Capacity

The Environmental Finance Program assists in building state and local capacity for carrying out environmental mandates by:

- Supporting a network of Environmental Finance Coordinators at EPA headquarters and regional offices (see back panel). The coordinators manage environmental finance demonstration projects (see next panel) and work with headquarters staff on monitoring finance trends and developments;
- Managing the EPA Environmental Financing Information Network (EFIN), an on-line environmental finance database. EFIN provides information on financing alternatives for state and local environmental programs and projects primarily in the form of abstracts of publications, case studies, and contacts. EFIN services include an online database, hotline (202/260-0420), and distribution of EPA publications pertaining to financing;
- Establishing Environmental Finance Centers (EFCs) at universities throughout the country, ideally with at least one in every Region. Currently, the EFC network includes the Universities of New Mexico (505/272-7357) and Maryland (301/405-6376), and Syracuse University (315/443-3759). The Centers focus on educating state and local officials on ways to lower costs and increase investments in environmental services and facilities.
- Maintaining an inventory of alternative financing mechanisms, lessons learned from field experience, and new financing approaches for use by state and local governments.



Environmental Finance Demonstration Program

EPA creates efficient real-world finance models through the Environmental Finance Demonstration Program. The goals of the Demonstration Program are:

- To provide communities with tangible examples for financing environmental projects;
- To increase awareness and acceptance of public-private partnerships and other innovative financing arrangements;
- To compare different financial arrangements and obtain information on how to overcome barriers and build incentives for forming public-private partnerships; and
- To identify new financing mechanisms that lower costs.

The demonstration projects emphasize partnerships that build state and local capability to administer environmental programs. These projects provide valuable lessons learned in order to replicate successes in other communities.



United States
Environmental Protection
Agency

EPA530-K-95-004
September 1995

Solid Waste and Emergency Response (5305W)



Recycling Means Business



Recycled/Recyclable
Printed on paper that contains at least 20% postconsumer fiber



Recycling Means Business: EPA's Market Development Strategy



The three chasing arrows of the recycling logo portray a seemingly simple system. Materials are collected out of the waste stream for recycling. Next, they are processed and used to make new products. Finally, the purchase of recycled products closes the loop. Recycling, however, is much more complex than the symbol indicates. At its core, recycling is about shifting to an environmentally-responsible manufacturing economy that conserves natural resources, energy, and disposal capacity. For this shift to take place, numerous barriers must be addressed. For example:

- ▶ Recycling businesses often lack ready access to technology, marketing information, and business development assistance. In addition, recycling businesses are often perceived as risky ventures by financiers unfamiliar with the recycling industry.
- ▶ Many state and local government market development programs need mechanisms to coordinate their activities, share information, and learn from each other's experiences.
- ▶ Government agencies and private sector entities often lack partnerships that would enable them to work cooperatively to build markets.
- ▶ Manufacturers and distributors of recycled products often find it difficult to gain access to markets provided by large purchasers such as government agencies and large corporations.
- ▶ Recycled products have not achieved widespread public acceptance due to a lack of performance history and general public awareness.

Market Development, which is defined as the process of strengthening or expanding both intermediate and end-uses of materials collected for reuse or recycling, can mitigate these barriers while advancing other national goals of the U.S. Environmental Protection Agency, such as:

- ▶ Harmonizing environmental protection with economic growth
- ▶ Preventing pollution and conserving natural resources and energy
- ▶ Enhancing the capacity of State, Tribal, and local government programs
- ▶ Promoting public-private partnerships and building government alliances
- ▶ Fostering technology development and transfer.

In this Strategy, EPA is adopting three equally important Market Development goals that will guide the Agency's market development activities and leverage other resources outside EPA.



Recycled/Recyclable
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contains at least 50% post-consumer recycled fiber

EPA's Market Development Goals

1) SUPPORT AND STRENGTHEN THE LINK BETWEEN INCREASED MARKET CAPACITY AND SUSTAINABLE ECONOMIC GROWTH.

Objectives: Stimulate interaction and coordination among the economic development, financial, and recycling communities.
Promote the use of recycled feedstock by assisting recycling businesses.

Through leadership and advocacy, EPA can demonstrate that environmental protection and economic prosperity are complementary pursuits. By implementing this goal, EPA will build bridges between the public and private sectors, create and expand networks to provide processors and manufacturers with needed assistance, and encourage them to use recycled feedstock.

2) LEVERAGE FEDERAL RESOURCES AND BUILD FEDERAL PARTNERSHIPS FOR MARKET DEVELOPMENT.

Objectives: Maximize Federal purchases of recycled products.
Facilitate access to Federal information, research, and programs.
Mobilize Federal participation in market development.


Acting as a catalyst, EPA can demonstrate how Federal agencies can further their primary missions while incorporating environmental protection goals. Achieving this goal will demonstrate how Federal agencies can not only procure recycled products, but also participate in the strengthening of recycling infrastructure by promoting resource efficient approaches and partnerships.

3) DEVELOP INFRASTRUCTURES THAT SUPPORT MARKETS FOR RECYCLABLES AND RECYCLED PRODUCTS.

Objectives: Strengthen State, Tribal, and local government capabilities.
Foster the establishment and exchange of market development information.
Maximize public and private sector purchases of recycled products.

By helping to create, expand, and disseminate information about existing organizational infrastructures, EPA can establish foundations for the activities of other groups. Through this goal, EPA will help improve existing market development programs, provide opportunities for the exchange of information and lessons learned, and promote increased procurement of recycled products by the public and private sectors.

These goals are the basis for EPA's internal market development Strategy which will direct EPA activities in fiscal years 1995-1996 and beyond. I look forward to working with the public and private sectors to implement this Strategy which will promote the development of mature recycling markets to permanently "close the recycling loop."



Carol M. Browner
EPA Administrator

EPA Resource Centers

The following clearinghouses, dockets, and hotlines stock up-to-date recycling information.

Public Information Center (PIC)

U.S. Environmental Protection Agency
Public Information Center (3404)
401 M Street, SW.
Washington, DC 20460
phone: 202 260-7751
fax: 202 260-6257

Serves as the primary point of contact between EPA and the public. Refers calls and letters to the appropriate sources for technical information, and distributes a variety of general-interest items.

RCRA Information Center (RIC)

RCRA Information Center (RIC)
U.S. Environmental Protection Agency
Office of Solid Waste (5305W)
401 M Street, SW.
Washington, DC 20460
phone: 202 260-9327
fax: 202 260-4937

Holds and provides public access to all regulatory materials on solid waste and distributes technical and nontechnical information on solid waste.

RCRA/Superfund/OUST Hotline

RCRA/SF/OUST Hotline
1725 Jefferson Davis Highway
Arlington, VA 22202
phone: 800 424-9346 (outside
Washington, DC metropolitan area)
within Washington, DC: 703 412-9810
fax: 703 486-3333

Answers questions on matters related to solid waste, hazardous waste, or underground storage tanks. Also can be used to find and order EPA publications.

Pollution Prevention Information Clearinghouse (PPIC)

PPIC (3404)
401 M Street, SW.
Washington, DC 20460
phone: 202 260-1023
fax: 202 260-0178

Provides a library and an electronic bulletin board (accessible by any PC equipped with a modem) dedicated to information on pollution prevention.

Environmental Financing Information Network (EFIN)

U.S. Environmental Protection Agency
EFIN (3304)
401 M Street, SW.
Washington, DC 20460
phone: 202 260-0420
fax: 202 260-0710

Provides an on-line computer database containing abstracts of publications and a network of public financing and environmental program experts. Help using the database is available.

Small Business Ombudsman Clearinghouse/Hotline

U.S. Environmental Protection Agency
Small Business Ombudsman (1230C)
401 M Street, SW.
Washington, DC 20460
phone: 800 368-5888
fax: 703 305-6462

Helps private citizens, small businesses, and smaller communities with questions on all program aspects within EPA.

Solid Waste Assistance Program (SWAP)

SWANA
Solid Waste Assistance Program
Post Office Box 7219
Silver Spring, MD 20907
800 677-9424

Collects and distributes current municipal solid waste information.

EPA Main Library

U.S. Environmental Protection Agency
Headquarters Library (3404)
401 M Street, SW. Room 2904
Washington, DC 20460
202 260-5921 or 5922

Maintains environmental reference materials for EPA staff and the general public, including books, journals, abstracts, newsletters, newspapers, and audiovisual materials generated by government agencies and the private sector. Also provides access to on-line computer services, bulletin boards, and CD-ROM systems.

EPA Regional Offices

EPA's ten regional offices can offer further information on recycling.

Region 1

*Connecticut, Maine, Massachusetts,
New Hampshire, Rhode Island, Vermont*

JFK Building
One Congress Street
Boston, MA 02203
Library: 617 565-3298

Waste Management Division
Mail Code: HAA-CAN2
617 573-5700

Region 2

*New Jersey, New York, Puerto Rico,
Virgin Islands*

Javitz Building
290 Broadway
New York, NY 10007
Library: 212 637-3010

Hazardous Waste and Solid Waste
Programs Branch
Mail Code: 2AWMD
212 637-4100

Region 3

*Delaware, District of Columbia, Maryland,
Pennsylvania, Virginia, West Virginia*

841 Chestnut Street
Philadelphia, PA 19107
Library: 215 597-6633

Hazardous Waste Management
Division
Mail Code: 3HW53
215 597-8181

Region 4

*Alabama, Florida, Georgia, Kentucky,
Mississippi, North Carolina, South Carolina,
Tennessee*

345 Courtland Street, NE
Atlanta, GA 30365
Library: 404 347-4216

Waste Management Division
Mail Code: 4WD-RCRA
404 347-3454

Region 5

*Illinois, Indiana, Michigan, Minnesota, Ohio,
Wisconsin*

77 West Jackson Blvd.
Chicago, IL 60604-3507
Library: 312 886-9906

Waste Management Division
Mail Code: HS-6J
312 886-7579

Region 6

*Arkansas, Louisiana, New Mexico, Oklahoma,
Texas*

First Interstate Bank Tower
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733
Library: 214 665-6424

Hazardous Waste Management
Division
Mail Code: 6HHW
214 665-6701

Region 7

Iowa, Kansas, Missouri, Nebraska

726 Minnesota Avenue
Kansas City, KS 66101
Library: 913 551-7358

Waste Management Division
Mail Code: SUPR
913 551-7050

Region 8

*Colorado, Montana, North Dakota,
South Dakota, Utah, Wyoming*

999 18th Street, Suite 500
Denver, CO 80202-2405

Hazardous Waste Management
Division
Mail Code: HWM-HW
303 293-1720

Region 9

*Arizona, California, Hawaii, Nevada,
American Samoa, Guam*

75 Hawthorne Street
San Francisco, CA 94105
Library: 415 744-1510

Hazardous Waste Management
Division
Mail Code: H-1
415 744-1730

Region 10

Alaska, Idaho, Oregon, Washington

1200 Sixth Avenue
Seattle, WA 98101
Library: 206 553-1289

Hazardous Waste Division
Mail Code: HW111
206 553-1296

Accessing This Document on the Internet

This document can be accessed on line using one of several Internet pathways:

Through the World Wide Web: Access the home page at <http://www.epa.gov>. Select EPA Offices and Regions. *Recycling Means Business* is under the Office of Solid Waste directory.

Through Gopher: Access the EPA Public Access Gopher at gopher.epa.gov. Select EPA Offices and Regions. *Recycling Means Business* is under the Office of Solid Waste directory.

Through FTP: Go to the [ftp.epa.gov](ftp://ftp.epa.gov) server. Login as "anonymous" using your Internet address as the password. *Recycling Means Business* is located in /pub. All OSW files are in directories beginning with "OSW."

This document is available at these sites as an Adobe Acrobat file (an electronic version containing both text and graphics).

MORE INFORMATION FROM:

National Small Flows Clearinghouse

West Virginia University: P.O. Box 6064

Morgantown, WV 26506-6064

Toll Free: 1-800-624-8301



United States

April 1991

Environmental Protection Agency 21W-7004

Office of Water (WH 595)

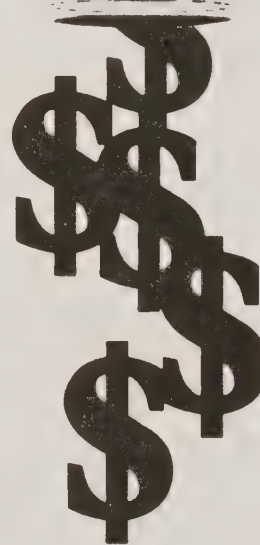
Yes, You Can

**Two Small Towns
Show How To Save
Money and Water**

Our EPA Regional Office

Local Community Outreach & Education (SCORE) Coordinators

- Boston** (Conn., Maine, Mass., N.H., R.I., Vt.)
JFK Federal Bldg.: Boston, MA 02203
617-565-3492
- New York** (N.J., N.Y., P.R., V.I.)
26 Federal Plaza; New York, NY 10278
212-264-8969
- Philadelphia** (Del., Md., Pa., Va., W.Va., D.C.)
841 Chestnut Bldg.: Philadelphia, PA 19107
215-597-6526
- Atlanta** (Ala., Ga., Fla., Miss., N.C., S.C., Tenn., Ky.)
345 Courtland St., NE; Atlanta, GA 30365
404-347-3633
- Chicago** (Ill., Ind., Ohio, Mich., Minn., Wis.)
230 S. Dearborn St.: Chicago, IL 60604
312-886-0246
- Dallas** (Ark., La., Okla., Tex., N. Mex.)
1445 Ross Ave.: Dallas, TX 75202
214-655-7130
- Kansas City** (Iowa, Kans., Mo., Nebr.)
726 Minnesota Ave.: Kansas City, KS 66101
913-551-7217
- Denver** (Colo., Utah, Wyo., Mont., N.D., S.D.)
One Denver Place: 999-18th St.: Suite 500;
Denver, CO 80202-2405; 303-293-1560
- San Francisco** (Ariz., Calif., Guam, Hawaii, Nev., Amer.
Samoa, Trust Territories of the Pacific)
75 Hawthorne St: San Francisco, CA 94105
415-744-1935
- Seattle** (Alaska, Idaho, Oreg., Wash.)
1200 Sixth Ave.(WD-085); Seattle, WA
98101; 206-553-8575



Produced for the U.S. Environmental Protection Agency, Office of Municipal Pollution Control; under Contract # 68-C9-0040



Printed on Recycled Paper

YOU CAN MAKE A DIFFERENCE

As a small community official, you wonder how you'll solve your town's water problems. You may face a water shortage or need to expand your water and wastewater facilities. You may feel there is little you can do to make a difference in your town's water and energy needs.

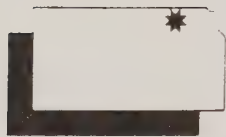
Read how officials in two small towns—perhaps like yours—saved water and money through carefully designed water conservation plans. They reduced energy costs as well because less water was pumped and treated and less heated for home and industrial use. And they did it without significantly changing the life styles or reducing the quality of life of their citizens.

You can make a difference, too. Remember that using water wisely saves money and helps prevent pollution. Then take a new look at how your town uses water. See if the simple steps taken by these two small towns can be the keys to success for your town.

This is a Small Community Outreach & Education (SCORE) publication. SCORE is EPA's wastewater information & technical assistance program for small communities.



BERN



The challenge. Prolonged drought caused this agricultural community of 220 people in northeast Kansas to adopt water conservation measures in 1989. Using a few simple steps, Bern cut its water use by about 20 percent.

Consumer education. Letters to customers and local newspaper articles explained the need to conserve water and asked everyone in the community to cooperate.

Person-to-person contact. Town officials personally discussed water conservation strategies with three commercial users who account for about half of the town's water use. One was able to cut its water use nearly in half by changing its production process.

Modified livestock cleaning practices. Bern farmers switched from automatic flush systems for cleaning livestock areas to manual ones. This cut their water use in half.

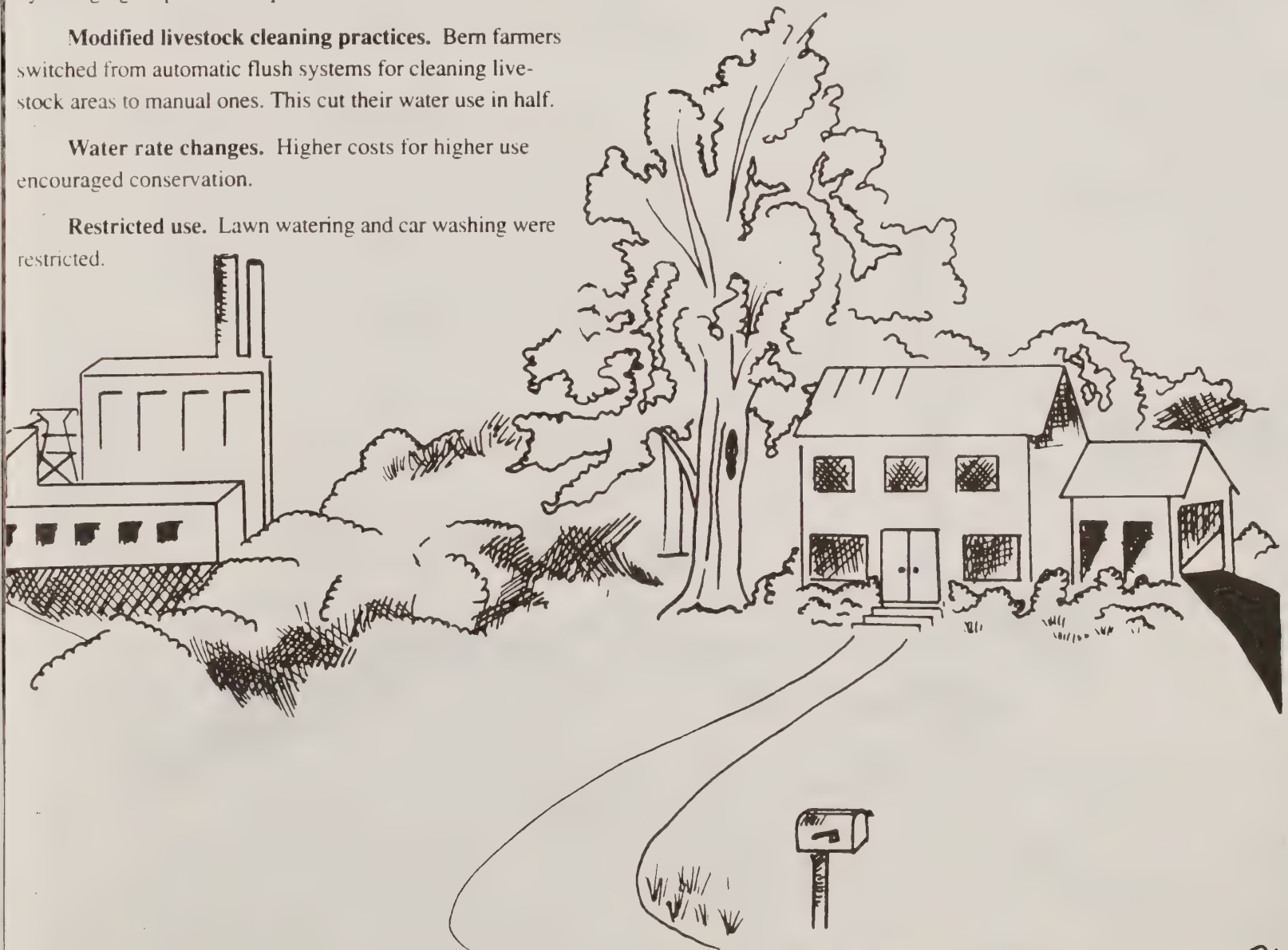
Water rate changes. Higher costs for higher use encouraged conservation.

Restricted use. Lawn watering and car washing were restricted.

Water-saving toilet kits. The Kansas Rural Water Association provided free kits to the town. The kits contained dye tablets to detect leaks and toilet tank bags to reduce water volume.

Water-saving showerheads. These reduced the usual 5-gallon-per-minute flow to 1.8 gallons. The town bought the showerheads and distributed them to users at cost.

Keys to success. Sometimes being small has big advantages. Town officials were able to speak directly with their biggest customers with dramatic results. And residents now understand and are committed to the wise use of the area's most finite resource—water.



LORENA



The challenge. Faced with water shortages, this central Texas town of 1,155 people near Waco realized big savings through an organized effort in 1988 to save water. Lorena served its users through 585 connections.

Progressive water rate. A previous conservation effort cut water consumption by one-third. It did this by charging more for higher water usage.

Two new goals. Lorena now aimed to reduce water use by 20 gallons a person per day and to cut the amount of water lost by leaky pipes.

An organized plan. Town officials first identified the town's biggest water users. Next, they developed a water conservation plan. Then they explained it to their citizens. These simple steps are the keys to Lorena's success.

Public education. Two months before the plan took effect, the town sent customers letters that explained the plan and the benefits of saving water. It sent followup information periodically.

Universal metering and meter repair. The town metered all users and began a maintenance program. It

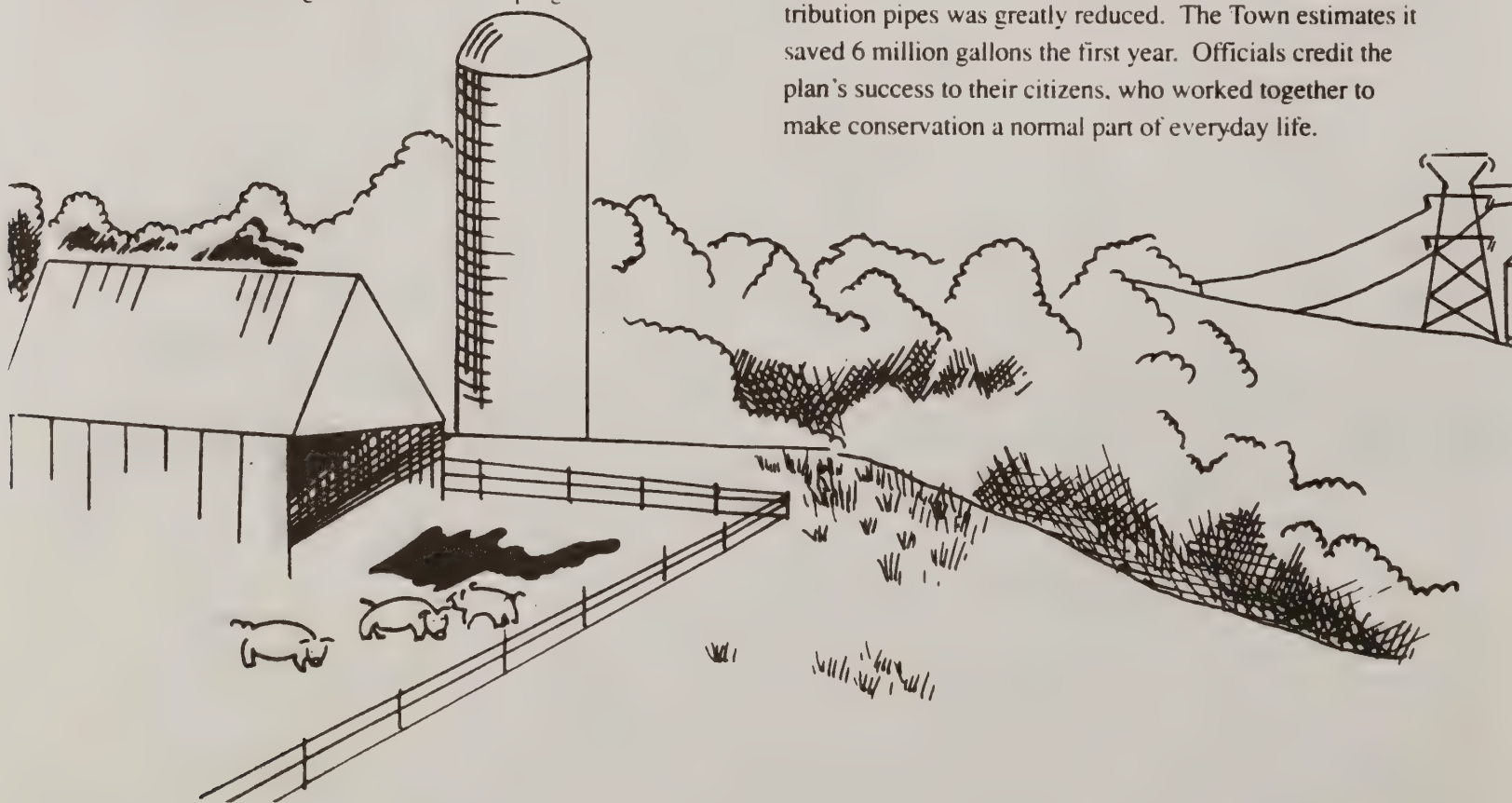
also produced charts that showed the total number of gallons pumped monthly and the quantity per customer. These measures helped cut daily water use by 28 gallons a person.

Leak detection and repair of pipes. Lorena bought modern leak detection equipment. Now it can repair leaks in a matter of hours.

New building code. Lorena adopted a new building code that requires water-saving plumbing fixtures and insulated hot water pipes in all new construction. Now local plumbing and hardware stores stock water-saving toilets and showerheads.

Recycling water. The town plans to use treated wastewater instead of fresh water to irrigate a school athletic field. This will save at least 5 million gallons a year.

Water saved is money saved. Lorena more than met its water conservation goals. Lorena's 585 customers saved an average of \$50 a year—a town-wide savings of \$29,250. Water use was cut dramatically and water lost through distribution pipes was greatly reduced. The Town estimates it saved 6 million gallons the first year. Officials credit the plan's success to their citizens, who worked together to make conservation a normal part of everyday life.





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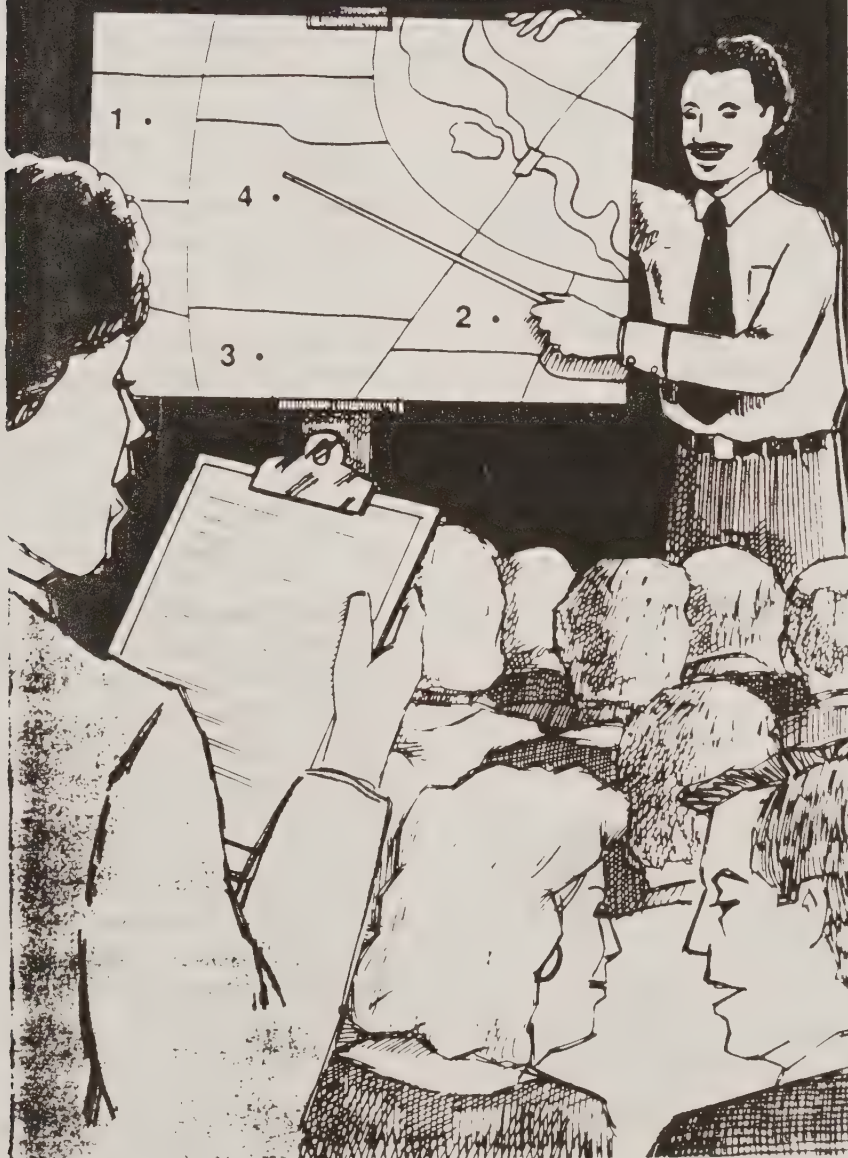
EPA/530-SW-90-020
March 1990

Solid Waste and Emergency Response (OS-305)



Siting Our Solid Waste:

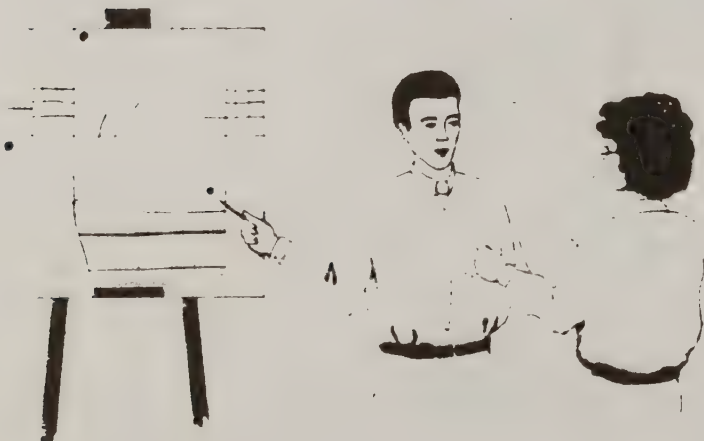
Making Public Involvement Work



Public Involvement Works

Solid waste management has recently become one of the greatest challenges facing local public officials. Confronted with increased amounts of trash needing disposal, closure of existing facilities, and environmental and health concerns associated with past practices, community leaders have found it necessary to locate new sites for waste management facilities. The search for new sites, however, has often been stalled by local residents who don't want a facility in their neighborhood (the NIMBY, or "not in my backyard," syndrome). Consequently, public officials all over the country have encountered conflict and costly delays in siting incinerators, landfills, and even recycling centers.

Some public officials, however, have managed to successfully site environmentally responsible waste management facilities by working with their communities to address solid waste issues. They have learned that involving the public throughout the entire planning and decision-making process is the key to siting an acceptable, safe, and efficient waste management facility. To help local officials involve the public in the siting process, the U.S. Environmental Protection Agency (EPA) has published a handbook entitled, *Sites For Our Solid Waste: A Guidebook for Effective Public Involvement*.



A New Siting Strategy

In the past, citizens were often not involved in the siting process, and, as a consequence, had little or no say over where a waste management facility was constructed in their community. The facility also may have been sited in a rural or isolated area, where the location would have generated little controversy.

Today, however, many communities must site their facilities in more populated areas, or in locations where the public has planned other uses for the land, such as recreation. As a result, more community residents are directly affected by the siting of a new waste management facility. Because of inadequate designs of earlier facilities and other reasons, many citizens distrust public officials and the siting process, and are now demanding a role in today's siting decisions.

In order for officials to channel citizens' legitimate interest into a constructive dialogue, restore their trust, and resolve conflict, it is necessary to involve the public in the siting process from the very start. This requires extra planning and resources, but should result in a more satisfactory, efficient process.

One of the key components of an effective public involvement plan is allowing an open exchange of information. Officials must listen to and understand citizens' concerns, and in turn, impart credible information to them about the technical issues involved. The NIMBY syndrome represents a culmination of citizens' real concerns related to possible adverse impacts posed by waste management facilities, and cannot be dismissed or ignored. At the same time, citizens need clear and accurate information about their community's waste problems and options.

A Comprehensive Plan

Public involvement should be the centerpiece of a comprehensive siting strategy that also includes risk communication, mitigation, and evaluation.

Risk Communication is the two-way exchange of information between public officials and citizens about potential hazards and their effects, as well as how these hazards are perceived by the public and how they might be managed. Risk communication also involves relaying technical information in a credible manner so that the public has all the available information necessary to make an informed decision. It might, for example, entail making an objective and clear presentation on the effectiveness and reliability of a facility's safeguards, and addressing any concerns citizens may have.

The Multidimensional Nature of Facility Siting Issues

People in different areas near a site may have different priorities, and so officials face a myriad of potential concerns:

- Environmental and health risks (such as ground-water pollution; air quality; and transportation of materials)
- Economic issues (such as effect on property values; construction and operating costs; impact on local industry; and compensation plans)
- Social issues (such as equity in site choices; effect on community image; aesthetics; alternative and future land-uses)
- Political issues (such as local elections; vested interests of community groups; responsibility for site management; and local control)

Credibility is the Key

Officials in Wisconsin have addressed the issue of providing credible technical information to the public and gaining their trust. The State of Wisconsin set up an innovative grant program that provides funding for community representatives to hire their own technical consultants. The consultants work on behalf of the citizens to oversee technical studies and communicate information about risks.

Mitigation involves negotiating with citizens to find ways to alleviate potential negative impacts associated with the siting of a waste management facility in their community. Since every siting situation is unique, mitigation requires creative solutions and flexibility. Public officials can help mitigate citizens' fears by listening and responding to their concerns. Officials also should be prepared to negotiate the fine points of how and where the facility will operate.

Evaluation enables public officials to determine whether their strategy is achieving its goals. Evaluating a siting process every step of the way can prevent later conflicts and misunderstandings, and also save money. Some techniques used to evaluate a process include questionnaires, focus groups, and telephone surveys. Evaluation can tell officials whether their public involvement and education programs are working and if there are any gaps in information that need to be filled.

The most effective way to site a waste management facility is for public officials and citizens to work together throughout the process. In the end, however, public officials have the ultimate responsibility for managing their community's solid waste. If you are considering siting a facility, encourage public involvement from the very start.

A Flexible Approach

In the siting of all facilities, officials must be flexible. Several towns have managed to site a facility successfully and reduce potential risks and anxiety by accommodating public concerns. In Northhampton, Massachusetts, public officials limited the number of trips that could be made to the regional landfill by non-local haulers. By taking this action, officials eased residents' concerns about negative impacts on the community. In another case, a developer offered to guarantee the value of residents' property to gain public support for a county landfill.

How to Order

For a free copy of EPA's manual entitled, *Sites for Our Solid Waste: A Guidebook for Effective Public Involvement*, write to: RCRA Information Center, Office of Solid Waste (OS-305), U.S. EPA, 401 M Street SW, Washington, DC 20460, or call EPA's RCRA/Superfund Hotline from 8:30 am to 7:30 pm, EST, Monday through Friday, at (800) 424-9346; for the hearing impaired, the number is TDD (800) 553-7672. In Washington, DC, the number is (202) 382-3000 or TDD (202) 475-9652.

Sites for Our Solid Waste: A Guidebook for Effective Public Involvement

A New Approach to Siting Municipal Solid Waste Facilities

- Facility Siting and the Solid Waste Dilemma
- The Siting Process
- Building a Siting Strategy

Public Involvement

- Who Is the Public?
- Including the Public in the Process
- Techniques for Involving the Public

Risk Communication

- Communicating Risks More Effectively
- Building Credibility for Technical Information

Mitigation

- Mitigating the Negative Impacts

Evaluation

- Evaluating Effectiveness of the Siting Process

United States
Environmental Protection
Agency

EPA 530-F-93-008
September 1993

Solid Waste and Emergency Response (5306)

EPA Waste Prevention

It Makes Good Business Sense!



U.S. Environmental Protection Agency
Office of Solid Waste
Communications Services Branch
401 M Street, SW.
Washington, DC 20460

Official Business
Penalty for Private Use, \$300

Minimize Waste, Maximize Profits!

As in every business, your company's **bottom line** is your **top priority**. While you might never have considered it before, the garbage your company generates can cut into your company's **profit margin**. Not only do you pay to transport and dispose of waste, but you could be inadvertently throwing away **valuable resources**. Minimizing waste can help to maximize profits. By reducing discards—from computer paper to cafeteria trays—you can save money, increase productivity, and even attract customers. Just a few simple changes, such as eliminating some paper memos or a layer of shipping material, can translate into **big savings** for your organization. And many companies don't stop there. Some firms have implemented comprehensive waste prevention programs that save them **millions of dollars** annually!

Computer Manufacturer Redesigns Packaging for Big Savings

A Massachusetts-based supplier of networked computer systems, software, and service redesigned protective packaging to ship large computer enclosures. The result was a 31 percent reduction in packaging volume for this product and an estimated first year savings of \$200,000.

What Is Waste Prevention?

Waste prevention, also referred to as source reduction, involves the design, manufacture, purchase, or use of materials and products to reduce the amount or toxicity of what is thrown away. Experts agree waste prevention is the most effective way to control municipal solid waste.

Waste prevention is not recycling. Recycling is a beneficial way to **manage** materials that would otherwise become waste, whereas waste prevention helps create less waste in the first place. For waste that cannot be prevented, however, recycling is the next best choice.

To help you set up a waste prevention program tailored to your own company, the U.S. Environmental Protection Agency (EPA) has developed a handbook of case studies from successful business waste prevention programs and a waste prevention guidance manual. To order these publications free of charge, send in the form at the end of this pamphlet.

What Are the Benefits of Waste Prevention?

Your business could reap significant benefits from waste prevention, including:

- Reduced waste disposal costs
- Savings in material and supply costs
- Savings from more efficient work practices
- Revenues from marketing reusable materials

Waste prevention also can enhance your corporate image and help you stay competitive. In addition, your employees might welcome, and even champion, waste prevention initiatives, giving a boost to company teamwork and morale.

Waste prevention benefits the environment, too. Waste prevention can conserve natural resources and slow the depletion of valuable landfill space. It also can reduce the pollution associated with the manufacture of products. In addition, reducing the amount of hazardous constituents in goods can reduce potential management problems at landfills and incinerators when these items are discarded.

Some Approaches to Waste Prevention

If you are implementing a comprehensive waste prevention program, you will want to look at all of your operations for opportunities to cut waste. Here are some tips to get your waste prevention program started:

Use or manufacture minimal or reusable packaging.

Encourage your suppliers to eliminate unnecessary packaging. In your purchasing, you can favor suppliers who offer products with minimal packaging. Whenever possible, buy products in bulk quantities and in reusable packaging. To reduce waste in your own shipping department, see if you can use fewer layers and ship merchandise in returnable or reusable containers.

Use and maintain durable equipment and supplies.

Consider investing in quality, long-lasting supplies and equipment that can be repaired easily. These items will stay out of the waste stream longer, and the higher initial costs may be justified by lower maintenance, disposal, and replacement costs. Setting up a regular maintenance schedule for machines will extend their useful lives, cutting back on waste and the need to replace expensive equipment.

Reuse products and supplies.

Adopt simple, cost-effective measures to conserve materials through reuse. Disposable items, such as coffee cups and single-use cafeteria trays, can be replaced with long-lasting, reusable products. A one-time investment for such items breaks the frequently expensive cycle of discarding and reordering. Encourage employees to reuse common items such as files and interoffice envelopes.

Reduce the use of hazardous constituents.

Find out which products in your graphics and maintenance departments (such as ink, solvent, paint, glue, and other materials) are available with fewer or no hazardous constituents. Ask your suppliers about water-based (rather than oil- or solvent-based) products.

Utility Licks Purchase Costs with Reusable Envelopes

A utility company in Maryland uses "send-n-return" envelopes to save money and time and decrease waste. One envelope is used for both sending bills and returning the payment. This strategy avoids using 1.5 million return envelopes per year, which equals a \$55,000 savings in purchasing costs.

RCRA Information Center (5306)
U.S. Environmental Protection Agency
401 M Street, SW.
Washington, DC 20460

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e!

EPA Offers Additional Information on Preventing Waste

EPA has published two documents to help businesses ~~design and implement~~ waste reduction programs in their facilities:

Waste Prevention Pays Off: Companies Cut Waste in the Workplace. a 24-page handbook, presents a brief overview of waste prevention strategies that are working for different types of businesses.

A Business Guide for Reducing Solid Waste is a 92-page manual providing detailed how-to instructions for businesses that are ready to embark on a waste reduction program.

Order Form

Please send me:

☐ **Waste Prevention Pays Off: Companies Cut Waste in the Workplace**

☐ **A Business Guide for Reducing Solid Waste**

Name _____

Company _____

Address _____

City _____

State _____

Zip _____

Telephone _____

Use supplies and materials more efficiently.

Try changing some of your company's operations to increase efficiency, reduce waste, and conserve materials. Examples include switching to double-sided copying and using electronic mail instead of paper mail.

Compost yard trimmings on site.

An option that most companies can adopt to reduce waste is "grasscycling," or leaving grass clippings on the lawn. In addition, if your company has sufficient space, start a compost bin on site for grass and leaves, rather than shipping them elsewhere for disposal. Composting is a natural process by which yard trimmings and other organic materials are allowed to decompose under controlled conditions.

Exchange, sell, or give away unneeded goods or materials so they can be reused.

Donate excess food, used furniture, and other materials to local organizations, such as homeless shelters or charities. You might try exchanging materials with another company. In a materials exchange, businesses trade, sell, or give away goods or materials that would otherwise become waste.

Eliminate unnecessary items.

Finally, don't overlook the obvious! Over time, your company may have begun routinely using materials that contribute little or nothing to your product or service. Eliminating the use of such unnecessary items can add up to significant waste reductions—and cost savings!

For More Information

Call the RCRA/Superfund Hotline at 800-424-9346 or TDD 800-553-7672 for the hearing impaired. For Washington, DC, and outside the United States, call 703-412-9810 or TDD 703-412-3323.

EPA has a program to encourage and assist businesses to reduce solid waste. For information on the WasteWise program, call 1-800-EPA-WISE.



Community Right-to-Know and Small Business

Understanding Sections 311 and
312 of the Emergency
Planning and Community
Right-to-Know Act of 1986

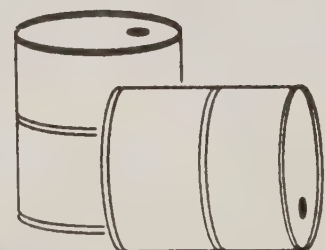
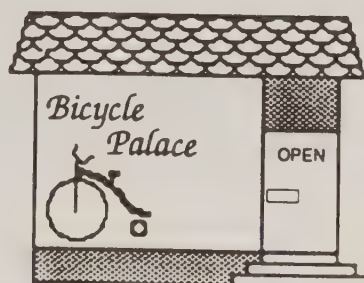
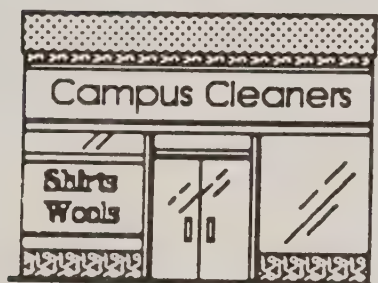


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This brochure has been developed to provide small businesses with important information on whether to report, and how and what to report under Sections 311 and 312 of the Emergency Planning and Community Right-To-Know Act of 1986. The document is not intended to replace any regulations written in support of the law. It is intended to assist the small business owner with compliance. Also, the brochure does not detail all of the sections of the Emergency Planning and Community Right-To-Know Act of 1986. You may face other requirements under this law.

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The President's Environmental Youth Awards



1994 National Winners

1994 Project Examples

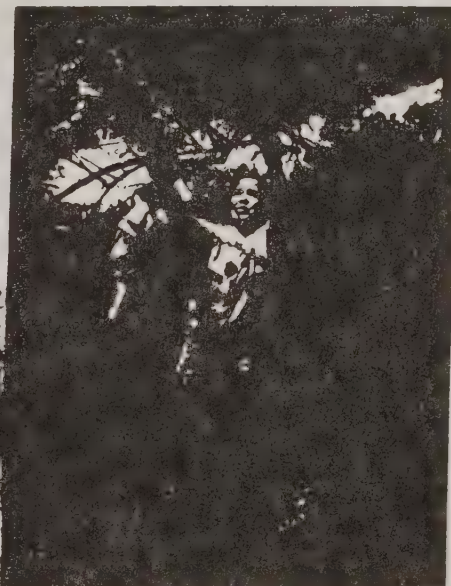
On the island of Maui, is an ancient royal Hawaiian fishpond called Kanaha Pond that had become overgrown and was being used as a dump. Six members of Girl Scout Cadette Troop 460 cut overgrown bushes and trees, removed tons of trash, pulled weeds and reintroduced native grasses and plants. Native waterfowl including the rare Hawaiian Stilt have returned to Kanaha Pond.

In Colorado, Hygiene Elementary School project SOS-Save our Species-was a year-long study of wildlife and global habitats of endangered species. They designed and published an endangered species calendar, a 90-page coloring book, a field guide, and a habitat book. Every hallway was converted into a "hallway habitat" such as an Asian jungle or coral reef. Over 1,000 people attended their community environmental festival.

Future Farmers of America (FFA) members of Morgan County High School in Georgia started an environmental awareness program "Recycle Soon It's Vital to Our Planet (RSVP). They built and continue to operate the first

county-wide recycling center-reducing the amount of trash in the landfill by 300,000 pounds. They used the proceeds to construct and maintain an Outdoor Environmental Study Area and Classroom. This area consists of a three-acre "wildlife habitat" centered around a once nonexistent, one-acre pond. They drafted a state resolution, House Bill No. 168, that was passed by the State Legislature to encourage all citizens in Georgia to recycle and to respect the environment.

Students at the Carpenter's Brook Fish Hatchery in New York worked to revive a stream erosion abatement project at the Carpenter's Brook Fish Hatchery. On week-ends they camped out on the grounds of the hatchery and worked in shifts to construct a dam using natural log materials. The dam provides food, shelter and living space for the trout that inhabit the stream.



Kendal Maalea tackles some of the tangled brush around Kanaha Pond

How The Program Works

The program has two components: the regional certificate program and the national awards competition. Regional certificates are awarded by the Regional Offices of the U.S. Environmental Protection Agency. The national award winners are selected by the Regional Offices and their recognition program is administered by EPA Headquarters in Washington, D.C.

Regional Certificate Program

The sponsor must complete the attached application and mail it to the appropriate EPA Regional Office (see listing on back of brochure). The regional certificate program is conducted year-round; therefore, applications for the regional program can be submitted at any time.

If a project is completed in the regional component of the program, all participants will receive certificates signed by the President of the United States, honoring them for their efforts in environmental protection.

National Awards Competition

If a project produced especially significant results, sponsors are encouraged to enter the national awards competition by marking the

appropriate box on the application. One outstanding project from each of the ten EPA Regions is selected for national honors.

National individual project winners, or one representative from a national award-winning group project, along with one project sponsor, will receive an expense-paid trip to Washington, D.C. They will participate in the annual National Awards Ceremony, and consult with the EPA Youth Work Group about the President's Environmental Youth Awards Program and other environmental education initiatives for young people.

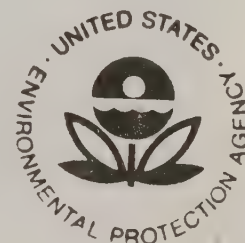
The President's Environmental Youth Awards program was expanded in 1991 to include corporate sponsorship and grants. The Keebler Company presented \$1,000 grants to each winner. Church & Dwight Company, Inc., makers of Arm & Hammer Baking Soda, hosted a luncheon, presented a \$1,000 grant to each winner, and also presented a smaller grant to the first, second, and third runner-up in each region.

Application Procedures

Although creativity is encouraged, applications must conform to the following guidelines:

- The sponsor(s) MUST sign and date the application.

(Continued on back page)



- The application must summarize the project in no less than three and no more than five 8-1/2 by 11 inch pages, not including supporting materials. These supporting materials may include mounted photographs, news clippings, and other supplemental items such as full texts of scientific papers. Typed (double spaced) applications are encouraged. Applicants should type or write only on one side of each sheet.
- Applicants are strongly urged to follow the specific criteria that the Regional Judging Panel



Additional participants of winning projects with EPA Administrator Browner and Vice President Gore

will use to evaluate applications. (See Judging Criteria.) Because judges cannot visit projects, students are encouraged to include photographs, newspaper articles, and other supporting materials with their applications. This will help the judging panel to gain a more comprehensive view of a project.

- On a separate sheet of paper, attached to the 3-5 page application, list the group name (if applicable), names of individuals and addresses of all project participants and sponsors. Also list the project name if it has one. The sponsor's home and work telephone numbers and signature must appear on this sheet.

How To Apply Eligibility

To be eligible, a young person, or group of young persons, must have completed an environmental project while in grades kindergarten through 12, and the project must be sponsored by at least one adult representative of their school, camp, youth group, or public interest group.

Application Deadline

To participate in the annual national awards competition, projects must be completed by July 31 of the award year; applications must be mailed to the appropriate Regional Office; and applications must be postmarked by July 31 or earlier of the same award year. Do not mail the application to EPA Headquarters in Washington, D.C.

Judging Criteria

Each Regional Awards Panel will judge projects on:

- The environmental need for the project.
- The environmental appropriateness of the project.
- Accomplishment of goals.
- The long-term environmental benefits derived from the project.
- Positive environmental impact on the local community and society.
- The extent to which the project was designed, coordinated, and implemented due to the young person's or persons' initiative.
- The positive ways in which other groups or individuals were involved to provide funds, resources, or publicity.
- Innovation.
- Soundness of approach, rationale, and scientific design (if applicable).
- Clarity and effectiveness of presentation.

Role of Sponsor

The adult sponsor plays an important role in helping a young person or group of young people carry out their projects and apply for awards. Sponsors should offer suggestions and advice on:

- Developing a sound approach to the project.
- Project implementation.
- Working with other groups and individuals in the community.
- Completing the application form(s) and preparing accompanying materials.

The sponsor must be an adult and can be a teacher, youth group advisor, summer camp counselor, or community leader. Young people must work closely with the sponsor(s) throughout the project and application procedures. Questions not answered by this brochure can be directed to your state's EPA regional office.

Materials submitted as an entry may be used by EPA to provide information about special projects or about the President's Environmental Youth Awards Program.

President's Environmental Youth Awards Application

This is a voluntary program. Applications should be completed only by those who wish to participate.

Individual, School, Camp, or Youth Group. (Circle One)

Sponsor

Name _____
Street _____
City _____ State _____ Zip _____

Name _____ Telephone () _____
Street _____
City _____ State _____ Zip _____

Project Award To Be Considered For: REGIONAL ☐ NATIONAL ☐ AWARD (Check One or Both).

Describe Project and results achieved.

Number of
Certificates
Required _____

Project Dates
Beginning _____
Ending _____

Presentation
Date or Last
Day of Term _____

Name organizations which helped on project and describe how they helped.

Did Project
Recieve Press
Coverage?
☐ Yes ☐ No
If "Yes" attach Press Clippings

On a separate sheet of paper, please list the name(s), addresses, ages and grades of individuals qualifying for awards. Print or type the name(s)

Signatures Application must be signed by adult sponsors.



CIAQ

Interagency Committee on Indoor Air Quality

Current Federal Indoor Air Quality Activities

402K 95005
June 1995

Prepared by the:
Indoor Air Division
United States Environmental Protection Agency
EPA

Bonneville Power Administration
Consumer Product Administration
Department of Defense
Department of Energy
Department of Health and Human Services
Department of Housing and Urban Development
Department of Interior
Department of State
Environmental Protection Agency
General Services Administration
National Aeronautics and Space Administration
National Institute of Standards and Technology
Occupational Safety and Health Administration
Tennessee Valley Authority

ABOUT THIS PUBLICATION

In 1988, EPA started to periodically compile and publish a list of the indoor air quality activities currently being undertaken by Federal agencies. This publication is the 1995 update of that list.

Title IV of the Superfund Amendments and Reauthorization Act (SARA) of 1986 requires EPA to establish a committee comprised of the Federal agencies concerned with various aspects of indoor air quality (IAQ) and to coordinate Federal IAQ activities. The Interagency Committee on Indoor Air Quality (CIAQ) functions as the primary Federal coordination mechanism for indoor air.

Through the CIAQ, each Federal agency is asked to supply an update of its present and ongoing research, policy, and program development activities in the field of indoor air quality. The responses to that request make up the content of this publication. The primary purpose of compiling this information is to provide individuals in the Federal community with a useful tool for coordinating their activities at the project level. This publication has proven to be useful to many individuals and organizations outside the Federal government as well.

For each agency, the major indoor air activities are identified, along with a brief description of the activity, its current status and/or projected completion date, the agency/office responsible, and a contact name and phone number. In addition, this update of the list also includes a section listing the indoor air related publications for the public that are available from Federal agencies.

The information for this chart was compiled by the Indoor Air Division, Office of Air and Radiation (6607-J), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460.

PLEASE NOTE:

THE INFORMATION CONTAINED IN THIS PUBLICATION WAS CURRENT AS OF JUNE 1995. HOWEVER, ALL INFORMATION SHOULD BE CONSIDERED SUBJECT TO CHANGE WITHOUT NOTICE. FOR THE MOST CURRENT INFORMATION, INDIVIDUALS LISTED FOR EACH PROJECT SHOULD BE CONTACTED DIRECTLY.



LANDVIEW

FACTSHEET



ORIGINS

LandView II™ grows out of an earlier joint venture of EPA and the National Oceanic and Atmospheric Administration to develop software for dealing with chemical accidents under the Emergency Planning and Community Right-to-Know Act. The software in LandView is an adaptation of MARPLOT™ DOS, a mapping component of the CAMEO™ system (Computer-Aided Management of Emergency Operations). Through the mapping in CAMEO, the Bureau of Census wanted to be able to display the TIGER/Line files, showing a detailed network of the country's physical features and related demographic information. Census' collaboration with EPA and NOAA resulted in LandView I, now expanded through the addition of other EPA facility-related databases into LandView II.

LandView™ II is an innovative "community right-to-know" software tool. In the format of an electronic atlas, published on CD-ROM discs, LandView can be used on standard personal computers. The information that LandView displays in maps and tables combines EPA databases with geographic features and statistics on demographics and economics from the 1990 Census. While LandView lends itself to a myriad of applications, two principal uses will be to help local communities evaluate environmental risks and identify areas of concern for environmental justice. LandView is the product of a collaboration among EPA, the Bureau of the Census, and the National Oceanic and Atmospheric Administration (NOAA).

displayed on detailed maps constructed from Census data. Specifically, LandView includes the following information from the Bureau of the Census: TIGER/Line files that include detailed networks of roads, rivers, railroads, and landmarks as well as boundaries of states, counties, congressional districts, cities and towns, tribal lands, census tracts and block groups, and metropolitan areas. Linked to this information, LandView II includes 1990 demographic and economic census data, including population and household characteristics drawn from two databases with statistics on race, age, and income for census tracts and block groups.

WHAT'S IN LANDVIEW?

LandView II offers information from the 1990 Census and from five EPA databases,

Information in LandView from the Environmental Protection Agency includes a subset of the facilities, sites, and monitoring stations from five databases. Together with

the Census information noted above, the following information can be displayed on LandView II's maps:

- ◆ From the Aerometric Information Retrieval System (AIRS), air quality information and point sources for pollutants identified through the Clean Air Act
- ◆ From the Biennial Reporting System (BRS), information on treatment, storage, and disposal facilities and major generators of hazardous waste
- ◆ From the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS), the National Priority Listed Sites under Superfund, and other sites
- ◆ From the Permit Compliance System, facilities holding NPDES permits for discharging wastewater under the Clean Water Act

- ◆ From the Toxic Release Inventory, facilities reporting yearly estimates of emissions of over 300 toxic chemicals to the air, water, or land or that are transported off site

TECHNICAL PERSPECTIVE

LandView is designed to be a self-taught, easy-to-use system on ordinary IBM-compatible PCs with a CD-ROM reader and VGA color graphics. HELP screens are available on the system as well as an electronic user's manual to help the user get started. In addition, a printed summary brochure is included with each CD.

LandView II covers the entire United States and territories and Puerto Rico on a set of 10 CD-ROM discs. Each CD of the 10 contains a specific geographic coverage, software needed for display, and the EPA and Census data for that geographic area. An eleventh nationwide disc includes all information except detailed TIGER/Line files. On this disc, TIGER/Line files are included only for the 12 largest Metropolitan Statistical Areas.

TO ORDER LANDVIEW AND OBTAIN MORE INFORMATION

For more information on LandView II and for information about the EPA databases in LandView, call the Emergency Planning and Community Right-to-Know Information Hotline: 1-800-535-0202.

For more information about Census data, and to purchase LandView II, call the Bureau of the Census Customer Services: 301-457-4100.

The Center for a Sustainable Urban Environment

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Hostos Community College / CUNY.

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Reinerio Hernandez-Marquez

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Ph.D. Candidate -

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B.A., Urban Studies, and Certificate in Cartography,

Rutgers University.

Consultants to the Project:

40 Community-based organizations;

Sandra Peters, Co-Founder

The Center for a Sustainable Urban Environment
Hostos Community College - CUNY
500 Grand Concourse Room A-016
Bronx, NY 10451

Place
Stamp
Here

Eugenio Maria de Hostos
Community College
of the City University of New York

The Center for a Sustainable Urban Environment

*Empowering Urban Communities to
Become Healthy and Sustainable
Environments*

500 Grand Concourse Suite A-016
Bronx, New York 10451

Tel: (718) 518-4320

Fax: (718) 518-4240

The Bronx
Environmental Assessment
and Training Project



Printed on Recycled Paper

The Center for a Sustainable Urban Environment

The Center for a Sustainable Urban Environment (The Center) at Eugene M. Harris Community College of the City University of New York is a not-for-profit research and educational organization dedicated to empowering urban communities to become healthy and sustainable environments. The Center's main goal is to further the ideals of environmental justice and equal opportunity by providing communities with the technical and informational tools with which to conduct community-based environmental assessment and planning, and to improve environmental quality.

The Center's Programs

Technical and Informational Tools:

The Center's Geographic Information System (GIS) is the foundation tool for environmental assessment and planning efforts. This powerful computer system superimposes a series of data layers, including environmental, land-use, health, and population, onto geographic images to create informative maps of the targeted communities.

The GIS allows complex data manipulation and analyses to be accessible in user-friendly formats which will be available through networking to every community member. It will enable community access to information such as:

- Locations of waste facilities and toxic emitters;
- Inventories of chemicals and hazardous materials stored at or emitted from sites;
- Logs of environmental inspections, permits, enforcement actions, and citizen complaints;
- Proximity of facilities to residences, schools, and day care centers;
- Health and epidemiological data;
- Demographic, transportation, land-use, zoning and housing data

A Community Environmental Library:

The Center will be a "clearing house" for information related to all aspects of the Bronx community, as well as serve as a repository of general environmental, regulatory, and policy information. It will house an environmental resource library to which community members will have full access. The Resource Library will also provide a public access GIS Laboratory, consisting of state-of-the-art GIS equipment, the latest data sets, and the Center's technical support staff to assist community members with their information needs and inquiries.

Education and Training:

The Center is committed to enhancing environmental education opportunities in the Bronx, through formal in-school programs, as well as flexible community-based learning modules and seminar series, which address specific community needs. Educational initiatives include:

- Train-the-Trainer Community-Based Environmental Health Education Programs;
- Community-Right-to-Act Environmental Workshop Series;
- Adult Vocational Training in Environmental Assessment and Remediation;
- A Full Curriculum of Environmental Studies at the High School and College Levels;
- Environmental Internships for Students;
- Annual Summer Institute for Community-Based Environmental Initiatives.

Pollution Prevention/ Clean Industries:

The Center's objective is to identify and implement cost-effective methods to prevent or reduce pollution at the source. There are viable alternatives to expensive end-of-pipe pollution control technologies which can be developed on an industry-by-industry basis. The Center is exploring the use of "Good Neighbor Compacts" as a way of forging collaborative links among community residents, private industries, utilities, and municipal agencies in the quest for more efficient and cleaner facilities. The Center is also working to attract green businesses and additional job opportunities to the Bronx.

Partnership Building:

The ultimate success of the Center depends upon community members and community-based organizations in equal partnership with the local institutions, including: educational and medical centers, industries, businesses, philanthropic and religious groups, governmental agencies, and elected and appointed officials. The Center's professional and technical staff work in partnership with over 40 community-based organizations, which constitute an important component of the Center's "Team."

Community-Based Governance and Public Policy Recommendation:

The initiative to establish the Center evolved from a four-year community effort to organize itself around environmental justice and urban revitalization. The Center's work in collaboration with the community will lay the foundation for pro-active and meaningful community participation and informed public policy decision-making.

A Community-Led Prototype for Other Urban Communities:

- The Center's state-of-the-art GIS Laboratory will be the only one of its caliber accessible to the general public.
- The tools and analyses being developed by the Center are unique in their geographic extent and level of detail.
- The community defines the parameters of the system by specifying the type of data and analyses which they want and require.
- Through field checking, community reporting, and timely database updates, the Center's data will reflect an accurate and current picture of conditions in the Bronx community.
- The state-of-the-art technology and methodologies developed at the Center will be used as a model to be shared with other urban communities working toward their own vision of health and sustainability.

"Empowering Urban Communities to Become Healthy and Sustainable Environments"



PEOPLE *of* COLOR GROUPS

1994-95 DIRECTORY

Robert D. Bullard
Environmental Justice Resource Center
Clark Atlanta University
Atlanta, Georgia 30314

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Office of Environmental Justice

EPA Environmental Justice Fact Sheet

Community/University Partnership (CUP) Grants Program

OVERVIEW. The EPA established this special Grant Program for Community/University Partnerships (CUP) to help community groups efficiently address local environmental justice issues through active partnerships with institutions of higher education. Under this program EPA will emphasize meaningful, fully interactive two-way cooperation between communities and institutions of higher education to address environmental justice issues (e.g., waste sites that are polluting water bodies, or pesticide contamination of farmworkers), identify pollution sources, train residents on their rights and responsibilities, and help resolve environmental problems.

Partnerships must be established with formal agreements (i.e. Memorandum of Understanding signed by both the university and the community) between a university or college and at least one socio-economically disadvantaged community, which is adversely impacted by an environmental hazard. Through these partnerships, communities will be encouraged to become involved in accessing information from environmental databases, in cleaning up and restoring communities that have environmental insults and in surveying and monitoring environmental quality. These initiatives increase environmental awareness, expand community outreach, and provide training and education to resolve environmental problems such as exposure to environmental pollutants in socio-economically disadvantaged communities.

THE 1ST YEAR'S PROGRAM. 1995 was the first year for the CUP grants. Out of the 54 applications received, 7 awards of \$300,000 each were made. The term of the grant is one year. Work is to begin by September 1, 1995. Each award is described on the attached two sheets.

ELIGIBILITY. Participation is limited to institutions of higher education which have formal partnerships with one or more community group. Applications will serve as the

sole source for evaluation. A panel of knowledgeable representatives will review and evaluate each application.

1996 SOLICITATION. This year's solicitation will be announced on or about November 1. Please call back on this Information Line 1-800-962-6215 to receive the announcement. Although the *FY 96 CUP Grants Program - Request for Applications* is not currently available, you can leave your name, organization and mailing address on the hotline's voice messaging system. You will receive a copy of the RFA once it has been published.

1995 COMMUNITY/UNIVERSITY GRANTS AWARDED

Cornell University - Ithaca, NY

Environmental Justice on Iroquois Reservations: Dialogue and Problem-Solving

Cornell University and the State University of New York College (SUNY) have formed a consortium to improve environmental justice outreach to five Iroquois nations: Onondaga, Akwesasne, Tuscarora, Tonawanda and Seneca. This consortium proposes a results-oriented dialogue with the Iroquois communities that will facilitate assessment and understanding of environmental concerns on Iroquois reservations while attracting Iroquois students to consider careers in environmental sciences.

The project will consist of a series of workshops, lectures and two search conferences. There will also be ten environmental justice summer internships, two in each of the five Iroquois reservation communities, to be filled by undergraduate students with an interest in addressing the reservation's environmental problems.

HOSTOS Community College - Bronx, NY

HOSTOS-Bronx Environmental Justice Project

The primary goal of this project is to build community-based capacity to better understand environmental threats which face the residents of Bronx County, New York. The project will develop a comprehensive picture of environmental conditions using the geographic

information system (GIS); a "train-the-trainer" program will be developed and delivered to 25 individuals representing at least 10 community-based organizations in the Bronx; and, a Community-Right-to-Know training program. To ensure that the program meets the needs of the community, an Advisory Board will be utilized in the project design and operations.

**University of California - Berkeley
Environmental Justice Community/University
Partnership Project**

The purpose of this project is to create models for collaboration between affected communities and University academic staff to address environmental health concerns in those communities. The Partnership includes, The University of California at Berkeley, Asian Pacific Environmental Network (APEN), Asian Immigrants Women's Advocates (AIWA), South West Organizing Project (SWOP), South West Public Workers Union (SWPWU), and People Organized for Defense of Earth and her Resources (PODER).

This project will work with community members to enable them to become aware, skilled, and effective environmental and workplace health trainers. The project will also develop culturally relevant curricula based on the results of a series of workshops conducted with social/health services providers and community organizations.

**University of Wisconsin - Stevens Point
A Tribal Community/University Environmental Justice
Partnership in Wisconsin**

The Stevens Point campus has had a long-standing and positive relationship with eleven Indian Tribes of Wisconsin, involving both outreach and education initiatives. This project will assist tribes in the strengthening of their infrastructure to manage environmental problems on tribal lands. This effort will be accomplished by providing information to Tribes on environmental issues, assisting in training and technical assistance and providing mechanisms for inter-governmental cooperatives. The project will create a sustainable development model and host an Inter-tribal environmental justice forum to address the unique problems of the different tribes and produce education materials.

**Tennessee Technological University - Cookeville
Chattanooga Creek Watershed Community/University
Partnership**

Tennessee Technological University, Chattanooga State Technical Community College, and two community-based organizations in the Chattanooga Creek area have formed a partnership for the purpose of addressing environmental justice issues in the Alton Park/Piney Woods communities. The project's goals are to involve community residents in the development of local solutions to local environmental problems. The project will include an educational component that addresses the environmental quality of Chattanooga Creek; a

comprehensive assessment of community risks; and the development of a strategy to improve communication among agencies, industries, and community groups that share a common concern for the future of this area.

**Northern New Mexico Community College - Espanola
Northern New Mexico Community College and Taos
Pueblo Partnering for the Future**

The Community College will work directly with the tribal government of Taos Pueblo to meet self-identified needs in the development of baseline data, long-range planning for an integrated environmental program, and training of Taos Pueblo communities. This program will also enhance the technical capability of the Pueblo to conduct environmental monitoring of hazardous materials on the reservations.

The college will also share this program model, training, and data with environmental staff of other Pueblos; and, where feasible, with the New Mexico Environmental Department to enhance its effort to develop a statewide data base. This information will be presented at public forums, tribal environmental conferences, and governmental meetings. Northern New Mexico Community College will work with Taos Pueblo to develop proficiency in the use of public access to information through innovative electronic media.

**Xavier University of Louisiana - New Orleans
Environmental Justice Partnership Project
Communitiversity Along The River**

The purpose of this project is to assist community groups along the Mississippi River to efficiently address environmental justice issues through an active partnership with the Deep South Center for Environmental Justice (DSCEJ) at Xavier University of Louisiana. Specifically, the project will address the environmental research, education, and outreach needs of the DSCEJ Mississippi River Corridor Community Partners.

The center will work with nine communities represented by a Community Advisory Board (CAB) that spans seven of the nine parishes along the chemical corridor. Specifically, the project will conduct research to investigate the impact of environmental hazards, establish community-based communication programs and develop environmental justice education materials for teachers and elementary and secondary students.

**Call 1-800-962-6215 to get updates on the
availability of the FY'96 Solicitation.**

College Fund, United Negro College Fund

PEJER Directory, July 31, 1995

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Bethune-Cookman College
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Summer: (804) 828-5593

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Dir: David Griffith
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Dir: Dr. Ramble O. Ankumah
Asst. Prof. of Agricultural Sci.
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Phone: (334) 727-8400
Tuskegee, AL 36088
Fax: (334) 727-4451

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Chair, Science Div.
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Fax: (803) 793-4584

Wiley College
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Academic Dean
Phone: (903) 927-3206
Dir: Dr. Loren Crow
Asst. Prof. of Religion
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711 Wiley Ave.
Marshall, TX 75670
Fax: (903) 938-8100

FY 95 - COMMUNITY/UNIVERSITY GRANTS

Northern New Mexico Community College - Espanola, NM Northern New Mexico Community College and Taos Pueblo Partnering for the future

The Community College will work directly with the tribal government of Taos Pueblo to meet self-identified needs in the development of baseline data, long-range planning for an integrated environmental program, and training of Taos Pueblo communities. This program will also enhance the technical capability of the Pueblo to conduct environmental monitoring of hazardous materials on the reservations.

The college will also share this program model, training, and data with environmental staff of other Pueblos; and, where feasible, with the New Mexico Environmental Department to enhance its effort to develop a state-wide data base. This information will be presented at public forums, tribal environmental conferences, and governmental meetings. Northern New Mexico Community College will work with Taos Pueblo to develop proficiency in the use of public access to information through innovative electronic media.

Tennessee Technological University - Cookeville, TN Chattanooga Creek Watershed Community/University Partnership

Tennessee Technological University, Chattanooga State Technical Community College, and two community-based organizations in the Chattanooga Creek area have formed a partnership for the purpose of addressing environmental justice issues in the Alton Park/Piney Woods communities. The project's goals are to involve community residents in the development of local solutions to local environmental problems. The project will include an educational component that addresses the environmental quality of Chattanooga Creek; a comprehensive assessment of community risks; and the development of a strategy to improve communication among agencies, industries, and community groups that share a common concern for the future of this area.

FY 95 - COMMUNITY/UNIVERSITY GRANTS

This project will work with community members to enable them to become aware, skilled, and effective environmental and workplace health trainers. The project will also develop culturally relevant curricula based on the results of a series of workshops conducted with social/health services providers and community organizations.

University of Wisconsin - Stevens Point, WI
A Tribal Community/University Environmental Justice Partnership in Wisconsin

The University of Wisconsin-Stevens Point has had a long-standing and positive relationship with eleven Indian Tribes of Wisconsin, involving both outreach and education initiatives. This project will directly assist tribes in the strengthening of their infrastructure to manage environmental problems on tribal lands. This effort will be accomplished by providing information to Tribes on environmental issues, assisting in training and technical assistance and providing mechanisms for inter-governmental cooperatives. The project will create a sustainable development model and host an Inter-tribal environmental justice forum to address the unique problems of the different tribes and produce education materials.

Xavier University of Louisiana - New Orleans, LA
Environmental Justice Partnership Project
Communitiversity Along The River

The purpose of this project is to assist community groups along the Mississippi River to efficiently address environmental justice issues through an active partnership with the Deep South Center for Environmental Justice (DSCEJ) at Xavier University of Louisiana. Specifically, the project will address the environmental research, education, and outreach needs of the DSCEJ Mississippi River Corridor Community Partners.

The center will work with nine communities represented by a Community Advisory Board (CAB) that spans seven of the nine parishes along the chemical corridor. Specifically, the project will conduct research to investigate the impact of environmental hazards, establish community-based communication programs and develop environmental justice education materials for teachers and elementary and secondary students.

FY 95 - COMMUNITY/UNIVERSITY GRANTS

Cornell University - Ithaca, NY *Environmental Justice on Iroquois Reservations:* *Dialogue and Problem-Solving*

Cornell University and the State University of New York College(SUNY) have formed a consortium to improve environmental justice outreach to five Iroquois nations: Onondaga, Akwesasne, Tuscarora, Tonawanda and Seneca Nation. This consortium proposes a results-oriented dialogue with the Iroquois communities that will facilitate assessment and understanding of environmental concerns on Iroquois reservations while attracting Iroquois students to consider careers in environmental sciences.

The project will consist of a series of workshops, lectures and two search conferences. There will also be ten environmental justice summer internships, two in each of the five Iroquois reservation communities, to be filled by undergraduate students with an interest in addressing the reservation's environmental problems.

HOSTOS Community College - Bronx, NY *HOSTOS-Bronx Environmental Justice Project*

The primary goal of this project is to build community-based capacity to better understand environmental threats which face the residents of Bronx County, New York. The project will develop a comprehensive picture of environmental conditions using the geographic information system (GIS); a "train-the-trainer" program will be developed and delivered to 25 individuals representing at least 10 community-based organizations in the Bronx; and, a Community-Right-to-Know training program. To ensure that the program meets the needs of the community, an Advisory Board will be utilized in the project design and operations.

University of California at Berkeley - Berkeley, CA *Environmental Justice Community/University* *Partnership Project*

The purpose of this project is to create models for collaboration between affected communities and University academic staff to address environmental health concerns in those communities. The Partnership includes, The University of California at Berkeley, Asian Pacific Environmental Network (APEN), Asian Immigrants Women's Advocates (AIWA), South West Organizing Project (SWOP), South West Public Workers Union (SWPWU), and People Organized for Defense of Earth and her Resources (PODER).

We Can Determine Our Position On The Scales Of Balance For The Environment

The issue of environmental justice focuses on the impact of health, housing, ecological, community and industry pollutants on our environment. Further, this major social issue seeks to review and define what measures and initiatives need to be implemented and in some areas institutionalized with the aim of achieving equality and improving the quality of life.

Since 1994 the National Council of Negro Women and the United States Environmental Protection Agency (EPA) began its partnership to organize women of color, particularly African American Women around the issue of environmental justice.

In March, NCNW in partnership with EPA convened an expert panel during the United Nations Prep Com in New York to address the issue of "Broadening the Base of Minority Awareness on the Issues of Environmental Justice." Two of the central questions posed and responded to by the panelist, were why should people of color be concerned about environmental justice and what role should people of color play on this issue?

As noted by Diane Dillion Ridgley, member of the U.S. President's Council on Sustainable Development (PCSD), upon examining environmental justice we can identify the degree of environmental degradation that has disproportionately exposed and violated communities of color in the U.S. and abroad. "Both industrial and agricultural production in industrialized and developing countries consistently cite the most polluting practices, particularly in poor and people of color communities. Our greatest challenges lie in creating production practices that no longer exploit and expose people to conditions that compromise and destroy their health and living areas."

Education is the key to the freedom and empowerment of a people. Having conducted several regional consultations on the environment and co-covened two major environmental retreats in 1995, NCNW believes it is essential to provide and distribute the NCNW Environmental Education Kit to directly assist impacted communities in understanding and providing information in a public forum on environmental issues of concern to the respective community.

The survival and well-being of America does depend on the quality and maintenance of a clean and safe environment. Look around you,

and somewhere not too far away there is a health problem, a security dilemma, some form of environmental injustice occurring. This is quite prevalent in the day to day lives of people of color, particularly African Americans.

Therefore, it is in our collective interest to create partnerships that will generate an increased interest by people of color about environmental justice and provide a mechanism to empower us to influence and shape the decision-making and debate on environmental issues. But even more we have the chance to save that child who is threatened by the exposure of lead poisoning in his home or school. We have the opportunity to determine the process and implementation of urban revitalization in people of color communities. We can and have the right to determine where our communities shall be positioned on the scales of balance for the environment.

Dr. Sarah E. Moten, NCNW Environmental Advisor



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ENVIRONMENTAL ROUNDTABLE

A community, industry and government collaborative approach to stakeholder participation in environmental decisionmaking and environmental justice.

The Environmental Roundtable is a community, industry and government collaborative approach to environmental justice. Our mandate is to improve the way the participating organizations work together to provide resources and assistance to impacted communities. It is clear that many environmental justice problems can be addressed and solved if community residents are given meaningful and intelligent participation in environmental decisionmaking at all levels. The challenge is to help equip impacted communities with the resources and capabilities for effective participation in the environmental decisions that affect their children, their health, their homes, jobs and their future.

Our Vision: To assist stakeholders in devising and implementing real solutions for environmental issues affecting impacted communities.

Our Mission: To assist impacted communities through education, outreach, research, and business development by increasing awareness of environmental issues and creating opportunities for stakeholder involvement in addressing these issues.

The Collaborative is not a new organization. Rather, it is an opportunity for existing organizations to work together to fashion real relief to community environmental problems. Collaborative actions are taken pursuant to clearly identified, generally agreed upon principles. For example, all members are equal partners in the collaboration. And, no efforts of the collaboration will be used to support litigation.

It is abundantly clear that environmental literacy, or the lack thereof, and sound scientific research are two areas that have been identified as barrier to environmental justice. These problems can be mitigated by the resources present in the collaboration, or available to collaboration members. It is our goal to work toward educating, empowering and mobilizing people of color to become key stakeholders in and decisionmakers on environmental justice.

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COMMUNITY MAPPING, LANDVIEW II, AND ENVIRONMENTAL EDUCATION: A CRITICAL NEXUS FOR ACHIEVING HEALTHY AND SUSTAINABLE COMMUNITIES

Charles Lee
United Church of Christ
Commission for Racial Justice
September 25, 1995

There appears to be an ever expanding number of community groups across the nation who are expressing an interest in the area of mapping one's own community. These include organizations concerned about environmental justice, environmental health, public health, community planning, community development, and issues related to achieving healthy and sustainable communities. This "spontaneous" development is a matter of no small consequence.

The concept of community mapping is found in recent texts on environment and communities, e.g., Environmental Health Coalition's *Toxic Free Neighborhoods Community Planning Guide*¹, Hacker and Ungar Natter, *Where We Live: A Citizen's Guide to Conducting a Community Environmental Inventory*², and others. One of the most powerful elements of the landmark United Church of Christ Commission for Racial Justice report *Toxic Wastes and Race in the United States*³ was its maps. To varying degrees of complexity, they offer readily applicable tools for conducting community mapping projects.

Recent projects by the Asian Pacific Environmental Network (Laotian girls mapping their Richmond, California neighborhood), Tucsonians for a Clean Environment (development in Southside Tucson, Arizona), worker training projects such as SNE EJ-APEN-UC/Berkeley and University of Massachusetts/Lowell incorporate community mapping as an important element. Virtually every proposal on empowerment zones and brownfields utilize mapping. Community based projects with more resources such as the Hunter College/Greenpoint-Williamsburg Environmental Benefits Program have done true computer-based Geographic Information Systems (GIS) projects. The San Francisco-based Urban Habitat Program has done mapping of

¹Takvorian, Diane (Ed.), *Toxic Free Neighborhoods: Community Planning Guide*. San Diego, CA: Environmental Health Coalition, January 1993.

²Hagar and Ungar Natter. *Where We Live: A Citizen's Guide to Conducting a Community Environmental Inventory*.

³United Church of Christ Commission for Racial Justice. *Toxic Wastes and Race in the United States: A National Report on the Racial and Socio-Economic Characteristics of Communities With Hazardous Waste Sites*. New York: United Church of Christ, 1987.

military toxic waste sites and the impact of defense base closures in East Bay Flatlands areas⁴. Several EPA regional offices have undertaken GIS studies.

Mapping offers us an entirely new way of looking at and thinking about the world. Realization on the part of communities about the power of being able to visually display a phenomenon of concern will surely add to the growing groundswell for more and better mapping tools. The recent National Environmental Justice Advisory Council Waste and Facility Siting Subcommittee sponsored "Public Dialogues on Urban Revitalization and Brownfields" revealed the central place that a community-based planning paradigm occupies in ensuring the development of healthy and sustainable communities. Tools must be developed which give a community the ability to visualize and "know" itself. A principal tenet of community-based planning is the thesis that a community who has a strong sense of itself is capable of being more self-defined, self-directed, and self-controlled, and thus more capable of shaping its own future.⁵

LandView II

LandView II is a unique electronic tool (an electronic atlas with the ability to do thematic mapping) and can be the hub of a virtual revolution in community mapping. As described by EPA, "LandView II is an innovative 'community right-to-know software tool. In the format of an electronic atlas, published on CD-ROM discs, LandView can be used on standard personal computers. The information that LandView displays in maps and tables combines EPA databases with geographic features and statistics on demographics and economics from the 1990 Census. While LandView lends itself to a myriad of applications, two principal uses will be to help local communities evaluate environmental risks and identify areas of concern for environmental justice. LandView is the product of a collaboration among EPA, the Bureau of the Census, and the National Oceanic and Atmospheric Administration (NOAA)."⁶

Because of its (1) ease of use, (2) low hardware and technical requirements, (3) vast amount of information including local streets, demographic information, geological features, and transportation thoroughfares, (4) capacity to incorporate new layers of information that the community can itself generate, and other important characteristics, LandView II is ready-made to be the primary engine for engendering widespread use of community-based mapping. This is evident from the immediate positive response everywhere it is demonstrated.

LandView is the product of the Federal Interagency Working Group on Environmental Justice, established as a result of Executive Order 12898. It is the product of a multi-agency cooperative

⁴Matsuoka, Martha. *Reintegrating the Flatlands: A Regional Framework for Military Base Conversion in the San Francisco Bay Area*. San Francisco: Urban Habitat Program, April 1995.

⁵Cordova, Teresa. Presentation on Community Based Planning to National Environmental Justice Advisory Council Waste and Facility Siting Subcommittee. Atlanta, GA, January 17, 1995.

⁶U.S. Environmental Protection Agency. LandView Factsheet (#550-F-95-003), April 1995.

effort, and developed with substantial community input. It bespeaks of what government should be doing in terms of provide tools which are empowering to the public. As chair of the NEJAC Waste and Facility Siting Subcommittee, I have recommended that LandView II be nominated by EPA for a Ford Foundation Innovative Government Award.

LandView is not GIS; the two are meant to accomplish different things. However, development efforts should be coordinated so that they are mutually beneficial. While they lack the sophistication of GIS, more readily accessible tools like LandView offer a relatively easy way for community groups to themselves become active participants in documenting items of concern. For example, many community residents have raised a question about the proximity of public schools to sources of environmental risk. A community based project which employs members of the community (residents, students or otherwise) to gather information to be incorporated into a local database using LandView is now possible. This could follow the model of community-based public health outreach models where local residents are trained to collect data or perform other functions. If data collection can be done in a way where it is compatible with GIS packages, then a similar project of larger scale can actually provide the first level of data for other more sophisticated analyses. In many ways, this will prove to be the most cost-effective and productive way of addressing the fact that virtually none of the environmental health risks in highly saturated people-of-color and low-income communities (especially in urban areas) have yet to be documented. Thus, community mapping provides a key link to making progress on issues such as cumulative risk and the concept of establishing the "baseline aggregate environmental load" for a given community.

Environmental Education

While the above linkages are somewhat more readily apparent, the linkage between LandView II and environmental education and the promotion of environmental literacy has yet to be addressed. The power of this connection can be seen in the following story. The acclaimed educational software *Where in the World is Carmen San Diego* is a geography game. It provided the basis for a educational program on public television. CRJ was once contacted by the producers of the television show for permission to use maps and data on Los Angeles from *Toxic Wastes and Race in the United States*. The producers wished to do a segment where a child "detective" using place-based (geographically-based) information can see patterns associated with the location of waste sites and environmental hazards.

One of the obstacles to LandView's achieving its fullest potential is the lack of a strategy which will give it exposure and harnesses its use in a large scale manner. Enough "critical mass" in terms of public awareness of its demonstrated use value must be generated in order to catalyze the momentum that will inevitably build upon itself by virtue of the nature of the LandView product and the place it occupies at the nexus of so many issues.

In order to tap this potential, a strategic link must be made between community groups, public schools, and the public library system. A linchpin for ensuring such a partnership is the use of LandView as a teaching tool and its integration into existing educational curricula. This can be

done in a way which (1) promotes team learning and multi-stakeholder partnerships, (2) taps community accessibility of the tool and its uses, and (3) produces supporters within the community who will advocate for its greater use.

Even a cursory examination of the environmental education implications of community mapping discloses some astounding observations. Unfortunately, the level environmental literacy in the United States is abysmally low. A basic construct of the goals of environmental education has four levels, i.e., (1) conceptual framework, (2) factual basis, (3) analytical capability, and (4) citizen action. A easy to use community mapping tool, offering the capacity to see and think about the world in a new way, is ideally suited to begin to meet the compelling for an environmentally literate citizenry. It is a tool which helps people develop critical thinking skills for participating in the decision-making process. Moreover, it reveal in a graphic and dramatic way the stakes associated with an issue so that citizens (of whatever age) understand the importance of their involvement. Judith Greenberg, an educational consultant who developed EPA's highly successful Summer Teachers' Institutes, underscored the gravity of this issue by noting how the geography skills of American students rank among the world's lowest.

At this point, experience with LandView indicates that there is a high degree of interest among teachers but there is no tangible mechanism to incorporate it into a teaching plan. Hence, we attach great importance to develop some models for incorporation into curricula on the college, secondary, primary, pre-K, and community levels. This can be done through course such as social studies, geography, environmental studies, urban planning, sociology, biology, earth sciences, and literally anything including a pre-K "Let's get to know our neighborhood" exercise. Although forethought need be given to what are the best ways of conveying information about environmental hazards, it should be noted that, many things not of an environmentally hazardous nature can be shown through LandView. LandView can be used to display the environment as the foundation of all life--human and non-human--as well as all activity--economic and otherwise. As educators will attest, a "map" is a ready-made educational tool.

LandView can for example be used to display the relationship between the location of transportation thoroughfares such as railroads and the demographic characteristics of adjacent communities, thus graphically showing the precise meaning of the commonly used term "other side of the track" communities. LandView also can be used to show one's own relationship to significant ecological relationships. For example, a active environmental education oriented youth project named the Bronx River Restoration Project does most of its work in predominantly white upper Bronx. The river's eco-system is actually an estuary since the Bronx river flows into Long Island Sound through the Hunt's Point Peninsula, in the heart of a predominantly Latino South Bronx. Connections already have been made between these two communities and can be greatly cemented through a tool such a LandView.

An important environmental justice related derivative effect of the widespread use of LandView would be exposure of people of color to computer technology. This is especially important for bridging yet another literacy gap in the area of computer use. LandView also would create

greater exposure to environmental concerns for people of color. If the net effect of such exposure to LandView is the generation of interest among people of color youth to pursue environmental careers, that in of itself would be an invaluable contribution to achieving healthy and sustainable communities.

Lastly, one of the roles that CRJ seeks to play is strategic planning, advocacy, and the gathering of partners who can leverage work around LandView and community mapping throughout key communities, institutions, and other venues. This must include a multiplicity of individuals, including community leaders, teachers, curriculum developers, school officials, librarians, government officials, and representatives of key social institutions, and persons in the business community.

A strategy needs to developed where we can develop awareness about LandView in at least 500 targeted communities throughout the nation. This needs to be supplemented with a way of distributing LandView to these communities, either through the local public library or public school systems. Such a goal is easily realizable given the state of current technology. This in fact would be the best way to promote its use by local community groups in environmentally highly impacted areas, since most community groups have yet to acquire CD-ROM technology of their own. EPA needs to develop a plan to fully publicize and thereby "market" LandView to these communities. Having devoted much time, effort, and care toward developing a tool as worthwhile as LandView II, it would be tragic if local communities do not get the opportunity to fully use it.

EDUCATION AND OUTREACH

Continued

Speakers Referral Service

NLIC manages a Speaker Referral Service to assist health departments, community groups, government agencies, parent organizations and others to identify speakers on issues related to lead poisoning and other environmental health topics. More than 700 speakers across the country are participating in this program.

Speakers have knowledge in lead-related areas such as health effects, abatement, occupational issues, public outreach, advocacy, federal grant programs, and environmental testing.

Lead Education from *Sesame Street*

The Children's Television Workshop (producers of *Sesame Street*) and the National Safety Council are collaborating on a nationwide public awareness campaign funded by a grant from The Prudential Foundation. The multimedia campaign will consist of an educational video using *Sesame Street* characters and an audio cassette for children between the ages of three and six, and a print brochure for the families and child-care providers of children under age seven.

National Lead Information Center

Lead Clearinghouse

(For technical assistance
and media inquiries)

1-800-424-LEAD
(202-833-1071)

Fax: (202) 659-1192
TDD: 800/526-5456
Internet: ehc@cais.com

Lead Hotline

(For general information
on lead poisoning and prevention)

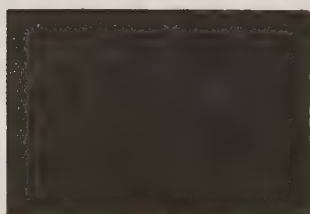
1-800-LEAD-FYI

National Lead Information Center
is operated by the Environmental Health Center, a
division of the nongovernmental,
not-for-profit National Safety Council.

1019 19th Street, N.W.
Suite 401
Washington, D.C. 20036

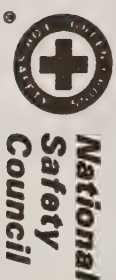


About one in eleven children in
America have high levels of lead
in their blood, according to the
Centers for Disease Control and
Prevention.



National Lead Information Center

Helping to address the
greatest environmental
risk facing America's
children.



CLEARINGHOUSE

1-800-424-LEAD
(1-800-424-5323)

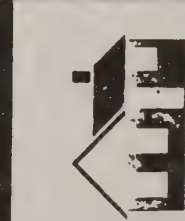
The National Lead Information Center provides the general public and professionals with information about lead poisoning and prevention.

The Center operates under a cooperative agreement with the U.S. Environmental Protection Agency (EPA), with support from three federal agencies -- EPA, Centers for Disease Control and Prevention (CDC), and Department of Housing and Urban Development (HUD).

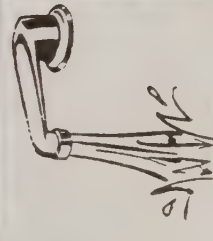
HOTLINE

1-800-LEAD-FYI
(1-800-532-3394)

- Available 24 hours a day, seven days a week, in English and Spanish.
- Provides basic information packet on lead, in English or Spanish.
- Packet includes the EPA brochure "Lead Poisoning and Your Children," three fact sheets, and a list of state and local contacts for additional information.
- Callers with specific questions are referred to the Clearinghouse to speak directly with an information specialist.



Most homes built before 1960 contain heavily leaded paint. Some homes built as recently as 1978 may also contain lead paint. This paint could be on window frames, walls, the outside of the house, or other surfaces.



Most well or city water does not naturally contain lead. Water can pick up lead inside your home from household plumbing made with lead materials. Boiling the water will not reduce the amount of lead. Bathing is not a problem because lead does not enter the body through the skin.

■ Trained information specialists answer specific questions on lead-related issues in English or Spanish.

■ Specialists provide on-phone technical assistance to parents, government agencies, corporations, health care providers, abatement professionals, and others.

■ Provides relevant materials, including federal publications, selected reports and articles, and other information.

■ Provides updates and summaries of lead-related federal laws and regulations.

■ Provides information on laboratories qualified to test for lead in soil, paint, dust, and water.

■ Provides referrals to federal, state, and local agencies and to others as appropriate.

■ Available Monday through Friday 8:30am to 5:00pm EST. Inquiries can be mailed or faxed, or a phone message may be left at any time.

EDUCATION AND OUTREACH

The National Lead Information Center (NLIC) conducts various education and outreach activities, primarily targeted to high-risk communities and populations.

Conferences & Meetings

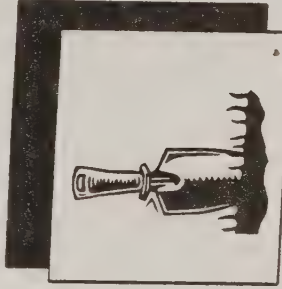
NLIC organizes and hosts local and regional conferences/meetings. These meetings are planned in cooperation with local government agencies and community groups and are designed to meet the needs of the community (e.g. 'lead poisoning prevention days', meetings for professionals, etc.).

Educational Materials

NLIC can provide educational materials for distribution, including: brochures and pamphlets; public service announcements for buses and subways; and posters. NLIC also has videos to lend.

NLIC and the National Lead Training and Resource Center jointly maintain a data-base of sample lead poisoning education and outreach materials from state, local and community organizations across the country. It includes a description and contact information for hundreds of lead educational items targeted to general and professional audiences, such as materials for children, videos, non-English literature, technical guidance on abatement, information on lead in ceramics, and more.

(continued)



Soil very close to homes may be contaminated from lead paint on the outside of the building. Soil by roads or highways may be contaminated from years of exhaust fumes from cars and trucks that used leaded gas.

NATIONAL LEAD INFORMATION CENTER HOTLINE, 1-800-LEAD-FYI

STATE CONTACTS FOR ADDITIONAL INFORMATION ON LEAD

ALABAMA - 205/242-5661

Donna Hanes or Anic Lopez, R.N.
Dr. Charles Woernle - 205/242-5131

ALASKA - 907/465-5152

Linda Himmerbauer

ARIZONA - 602/542-7307

Patty Arreola

ARKANSAS

501/661-2534 or 501/661-2757
Dr. Bob West or Patsy Lewis

CALIFORNIA

Robert Schlag - 510/450-2424
Childhood Lead Poisoning
Prevention Program - 800/LA4-LEAD

COLORADO

Michelle Bolyard - 303/692-3539

CONNECTICUT - 203/566-5808

Debby Lafferty

DELAWARE

Russel Dyne - 302/739-4735
Wilmington - 302/995-8693

DISTRICT OF COLUMBIA

Ella Whitterspoon - 202/727-9850

FLORIDA - Call your local

HRS/County Health Public Unit or
Roger Inman or Joseph Sekerke
904/488-3385
Anne Boone - 904/488-9228
Pinellas County - 813/824-6900
Melanie Thoenes

GEORGIA

Ms. Tommie Bradford - 404/657-6514
Fulton County - 404/730-1491
Dr. Levonne Painter

HAWAII - 808/832-5860

Hilda Kitagawa

IDAHO - 208/332-5544

Steve West, Environmental Health
Panhandle Health District
Jerry Cobb - 208/752-1235

ILLINOIS - 800/545-2200

Melinda Lehnher or
Jonah Deppe - 217-782-0403
Kankakee County
Val Messier - 815/937-7866
Janice Marshall - 815/937-3565

INDIANA - 317/382-6662

David Ellworth

IOWA - 800/972-2026

Ken Choquette - 515/281-8220
Rita Gergely - 515/242-6340

KANSAS

Steve Paige - 913/296-0189
Dick Morrissey - 913/296-1343
Dr. Andrew Pelletier - 913/296-6215
Environmental Health Services

KENTUCKY

Ann Johnson, Sarah Wilding
or Pat Schmidt - 502/564-2154
Northern Kentucky
Bill Bookmeyer - 606/581-3886
Cathy Winston - 606/341-4264
Lexington/Fayette
Zaida Belendez, Carol Vaughn or
Janice Hollen - 606/288-2434
Louisville/Jefferson
Judy Nielsen
or Connie Huber - 502/574-6644

LOUISIANA - 504/568-5070

Eve Flood, Office of Public Health

MAINE - 207/287-4311

Edna Jones, Public Health Nursing
David Breau - 207/287-5694

MARYLAND - 410/631-3859

Childhood Lead Poisoning
Prevention Program

MASSACHUSETTS

Merrimack Valley - 508/681-4940
Carmen Torres
Worcester - 508/799-8589
Frank Birch
Southeastern Mass U. - 508/999-9930
Carmen Maiocco
Boston - 617/534-5965
Ngozi Oleru - Public Information
Officer
Springfield - 413/787-6717
Dolores Williams, Ph.D.
Salem Hospital - 508/745-2100 Ext. 2774
Phyllis Groskin or Carrandra Farguheson
Lowell - 508/970-2470
Joan Seeler
Avon - Frances Olson - 508/588-0447
Barnstable - Sean O'Brien - 508/362-2511
If you do not live in these areas,
call 800/532-9571

MICHIGAN

Lansing - 517/335-9263
Alethia Carr, Paulette Dunbar
Jim Bedford - 517/335-9215
Detroit - 313-876-4212
Harriett Billingslea

MINNESOTA

Douglas Benson - 612/627-5017
Dianne Kocourek Ploets
612/627-5018
City of St. Paul
Mary Ellen Smith - 612/292-7747
City of Minneapolis
Brian Olson - 612/673-3595

MISSISSIPPI

Ernest Griffin - 601/960-7463
Jimmie Asbill or Gloria Tatum
601/961-5171

MISSOURI - 314/526-4911

William Schmidt, Daryl Roberts
Kenneth Duzan - 314/751-7834
Department of Natural Resources

The National Lead Information Center is operated by the National Safety Council with funding from the Environmental Protection Agency, the Centers for Disease Control and Prevention and the Department of Housing and Urban Development.

If you cannot be assisted by your state and have a specific question, please call 1-800-424-5323 or 202/833-1071

MONTANA

Todd Damerow - 406/444-3986

NEBRASKA - 402/471-6615

Rita Westover - 402/471-0197

Dr. Adi Pour - 402/471-2541

NEVADA

Jeff Fontaine - 702/687-6615

NEW HAMPSHIRE

Martha Turner Wells - 603/271-4507

George Robinson - 603/271-4668

Todd Leedburg - 603/271-2942

Richard Thayer, Jr. - 603/271-3139

City of Manchester - 603/624-6466

NEW JERSEY

Kevin McNally - 609/292-5666

Danuta Budzygan - 609/588-2739

Bob Ticker - 609/984-6070

Burlington County

Harriet Steuart - 609/267-1950 x2832

Camden County

John Costello - 609/757-0021

Cumberland County

Laurie Geremia, R.N. - 609/794-4264

Essex County

East Orange - 201/266-5489

Irvington - 201-399-6651

Newark - 201/733-7547 or 456-5032

Orange - 201/266-4077

Gloucester County

Delle Selinsky - 609/853-3437

Hudson County

Madeline Brown - 201/547-4567

Middlesex County

Joan Pisuk - 908/521-1402

Nina Benton - 908/745-6663

Monmouth/Ocean County

Jeryl Krautle - 908/431-7456

Sr. Therea Comfroy - 908/341-9700

Passaic County

Majorie Pacheco - 201/881-6919

Trenton

Sharon Winn - 609/989-3204

Union County

Barbara Parker - 908/289-8600

Imleda Chukwu - 908/753-3500

NEW MEXICO

Dan Merians - 505/827-0006

NEW YORK

Nancy Robinson, James Raucci or

Marie Miller - 518/473-4602

Patnck Parsons - 518/474-5475

Westchester County

Donna Bernard - 914/593-5203

New York City - 212/BAN-LEAD

Water Test, NYDEP - 718/699-9811

Dept. of Housing, Preservation &

Development - 212/960-4800

NORTH CAROLINA

Ed Norman - 919/715-5381

James Hayes - 919/733-2884

NORTH DAKOTA

David Cunningham or

Sandra Anseth - 701/224-2493

Ken Kary - 701/221-2169

Mike Borr - 701/221-6143

Dana Mount or

Ken Wangler - 701/221-5188

OHIO - 614/644-0524

Phil Hyde - 614/644-1894

Cleveland - 216/664-2175

Wayne Slota

Columbus - 614/645-6129

Gary Garver

Mahoning County - 216/788-7571

Karla Krodell

Cincinnati - 513/352-7420

Shirley Wilkinson

OKLAHOMA

Dr. Edd Rhoades - 405/271-4471

Monty Elder - 405/271-7353

OREGON - 503/248-5240

Margot Barnett - Oregon Health Div.

PENNSYLVANIA

See your physician or contact your
local State Health Center.

Lead Poisoning Programs:

Allegheny - 412/323-6053

NE Pennsylvania - 800/662-5220

Harrisburg - 717/782-2884

RHODE ISLAND - 401/277-1417

Dr. Peter Simmon or

Cathy O'Malley - 401/277-2312

Cheryl LeClair - 401/277-1185 x145

SOUTH CAROLINA

Columbia - 803/737-4061

Kelli Kenison or Cynthia Wright

Charleston

Jackie Dawson - 803/724-5891

SOUTH DAKOTA

Rex Vanderberg - 605/773-3364

TENNESSEE

Dr. Robert Taylor - 615/741-5683

TEXAS - 800/422-2956

Galveston - 409/772-3332

Dr. Wayne R. Snodgrass

Dallas - 214/670-7151

Dr. Alice Pita

Houston

Dr. Marcus Hanfling - 713/793-2592

Sonja A. Vodehnal - 713/794-9394

UTAH - 801/536-4000

Dr. Denise Beaudoin - 801/538-6191

Richard Clark - 801/538-6856

Wayne Pierce - 801/584-8400

VERMONT - 800/439-8550

or 802/863-7231

Karen Garbarino - 802/865-7786

VIRGINIA - 800/523-4019

Eillen M. Mannix - 804/786-7367

Edward Lefebvre - 804/786-3766

Jack Proctor - 804/786-5041

Central Virginia - 804/947-6777

Dr. Edward Hancock

Crater Health Dist. - 804/861-6582

Daphne Homer

Norfolk Health Dist. - 804/683-2862

Kris Meek

Portsmouth Health Dist. - 804/780-4240

Susan Strong, R.N. (ext. 152)

Richmond Health Dist. - 804/780-4240

Yvonne Johnson

Fairfax County - 703/246-2411

WASHINGTON

James o. White - 206/753-2556

WEST VIRGINIA - 800/922-1255

or 304/558-2981

Cathy Hayes - 304/558-0197

WISCONSIN

Mark Chamberlain,

Abatement - 608/266-7897

Jody Diedrich, Medical - 608/266-1826

Joe Schirmer, General - 608/266-5885

Patty Bolig, Laboratory - 608/266-5817

City of Milwaukee - 414/225-LEAD

WYOMING - 800/458-5847

or 307/777-7391

Todd Klietz - 307/777-7957

Department of Health



**National
Medical
Association**

Environmental Protection Agency
Radon Education Program
1012 Tenth Street, N.W.
Washington, DC 20001

**A COOPERATIVE AGREEMENT BETWEEN THE NATIONAL
MEDICAL ASSOCIATION (NMA), AND THE U.S.
ENVIRONMENTAL PROTECTION AGENCY (EPA), TO
PROMOTE RADON AWARENESS, TESTING AND MITIGATION
IN THE AFRICAN-AMERICAN COMMUNITY**

GEARLINE CABINESS BRYAN, MBA

**Director, Radon Education Program
National Medical Association
1012 Tenth Street, NW
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ABSTRACT

The National Medical Association's Radon Education Program, through a cooperative agreement with the U. S. Environmental Protection Agency, is educating African-Americans to accept personal responsibility for preventing exposure to radon and health risks associated with radon.

KEYWORDS

Radon; Radon Education Program; African-American; National Medical Association; U. S. Environmental Protection Agency

**THE NATIONAL MEDICAL ASSOCIATION'S RADON
EDUCATION PROGRAM, INITIATED TO EDUCATE
AFRICAN-AMERICAN COMMUNITIES**

The National Medical Association, founded in 1895, is a professional organization that represents 20,000 African-American physicians in the United States, including Puerto Rico and the Virgin Islands. The National Medical Association actively addresses all issues impacting the ability of its members to deliver quality health care.

The Radon Education Program was initiated with the National Medical Association because of its physician coalitions throughout the nation. The National Medical Association's physicians have extensive experience in delivering community-wide prevention and promoting activities which have the ability to reach many African-Americans, unfortunately, most of whom are prime candidates for immediate and short-term environmental and life threatening ills which affect basic survival.

Moreover, radon is the second-leading cause of lung cancer deaths in the United States each year. African-Americans suffer from diseases of the lung, particularly lung cancer, at a disproportionate rate.

Lung and bronchus cancer is the leading cause of excess mortality in African-American men and the second-leading cause in African-American women. In addition, exposure to radon coupled with cigarette smoking increases the risks of developing lung cancer. This combination of risk factors is particularly significant because cigarette use is more prevalent among African Americans than Caucasians. Most recently, the U. S. Environmental Protection Agency expanded our cooperative agreement to include the Secondhand Smoke Awareness Program. This expanded cooperative agreement presents us an opportunity to further address and impact environmental ills that affect African Americans.

Radon is a naturally occurring radioactive gas that is emitted from soil and accumulates indoors. Radium, which releases radon, is commonplace in the earth's crust. The radon gas seeps through porous soils under homes or buildings and enters through gaps and cracks in the foundation or insulation, pipes, walls or other openings.

An estimated 6 million homes in the United States may have indoor radon levels at or above the Federal government's recommended action levels. This equates to nearly one out of every 15 homes. Risk factors for developing lung cancer from radon depend mostly on how much radon is in your home, the amount of time spent in your home and whether you are a smoker or have ever smoked. Unfortunately, nationwide surveys have indicated that the level of awareness of the risks presented by radon exposure is only 48% among African Americans compared to 77% among Caucasians.

It is difficult to convince the African-American community of the dangers of radon because there is no physical evidence of the existence of radon gas; people cannot see or smell radon gas; people usually feel safe in their homes; and radon gas is just another health risk or environmental hazard among many that is a part of everyday life.

To help reduce the rates of lung cancer in African Americans, the National Medical Association entered in a cooperative agreement in 1992 with the U.S. Environmental Protection Agency to promote radon awareness, testing and mitigation in African-American communities. Through our pilot program in Louisville, Kentucky, we have reached in one year, 25% of the African-American population through health fairs, frequent television and radio spots, verbal and visual presentations at local, state and national meetings, print material distribution and coalitions with community organizations.

Approximately, 4,000 radon fact sheets and 1,000 radon test kits were distributed during January 1993 - June 1994. Fifty percent of the distributed radon test kits have been utilized and test results returned to Louisville residents. Our pilot program had a Health Jamboree in Louisville in June 1994 with over 1,000 community members in attendance. This Jamboree was the result of partnerships with the U.S. Environmental Protection Agency, the National Black Caucus of State Legislators, American Heart Association, Louisville Fire Prevention Bureau, St. Stephen Baptist Church and many other organizations.

The target population in Louisville, Kentucky, was receptive to risk information about radon. Our pilot city coordinator, a well-known Pediatrician and community activist was recognizable to the target population. Beverly M. Gaines, M.D., was a frequent face and voice to African

Americans. Dr. Gaines appeared regularly on television talk shows and radio programs discussing various health risks. The community attended the health jamboree in large numbers and three out of four persons knew about radon from watching television and listening to the radio. The community was interested in learning more about radon and receiving test kits to test their homes. In this African-American community, people were familiar with the messenger and the message. The credibility of the messenger in the African-American community is very important. Historically, physicians, educators and religious leaders are well respected in our communities. Knowledge, attitude, practice and tradition plays a big part in the African-American community being receptive to health risk information.

The National Medical Association has been most effective in radon awareness in a coordinated community-based setting such as a health jamboree. This type of event brings schools, churches, physicians, businesses, civic organizations and Federal and local governments together to promote health awareness and disease prevention activities.

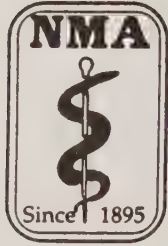
A component of our Radon Education Program consists of training and awarding mini grants to physicians, physician coordinators and community leaders so that the program can be implemented in their respective community. Recently, our program coordinator in Cleveland, Ohio participated in a health fair which reached over 6,000 community members. Health fairs have been an extremely successful method of reaching the African-American community. In fact, the U.S. Environmental Protection Agency has recommended that we continue reaching the target population through health fairs across the Country.

At a Radon Public/Private Partnership meeting in December 1993, the National Medical Association's Radon Education Program received an outstanding achievement award from the U.S. Environmental Protection Agency in recognition of leadership, dedication and contributions toward reducing the public health risk of indoor radon gas.

We are vigorously reaching out to our communities through participating in educational programs with schools, universities and churches. In addition, the Radon Education Program is being presented and exhibited at national and state meetings and conventions. The Program staff is writing articles, abstracts and books to educate all segments of the African-American population. Several of our articles have appeared in national magazines. The staff presented a poster exhibit at the American Public Health Association's Convention. The National Medical Association is implementing the Radon Education Program on a national level and is expanding its outreach activities to promote environmental justice and equity.

NMA FACT SHEET:

SECONDHAND SMOKE AWARENESS PROGRAM



The National Medical Association (NMA), founded in 1895, is a professional organization representing approximately 20,000 Black physicians in the United States, including Puerto Rico and the Virgin Islands. The NMA actively addresses all issues impacting the ability of its members to deliver quality health care. For additional information, please contact the NMA, 1012 10th Street, NW, Washington, DC 20001.

Secondhand smoke is a mixture of the smoke given off by the burning end of a cigarette, pipe, or cigar, and the smoke exhaled from the lungs of smokers.

This mixture contains more than 4,000 substances, more than 40 of which are known to cause cancer in humans or animals and many of which are strong irritants.

Secondhand smoke is also called environmental tobacco smoke (ETS); exposure to secondhand smoke is called involuntary smoking, or passive smoking.

● **SIGNIFICANCE TO BLACKS**

- Cigarettes, the cause of over 1,000 deaths every day, have been crowned the leading cause of preventable deaths in the nation (80-90% of all lung cancer is caused by smoking)
- 32% of Black males smoke
- 20% of Black females smoke
- Blacks suffer from diseases of the lungs, particularly lung cancer, at a disproportionate rate
- Lung and bronchus cancer is the leading site of excess cancer mortality in Black men and the second leading site in Black women

● **SECONDHAND SMOKE IS A SERIOUS HEALTH RISK TO CHILDREN**

- Infants and young children whose parents smoke are among the most seriously affected by exposure to secondhand smoke, being at increased risk of lower respiratory tract infections such as pneumonia and bronchitis
- Children exposed to secondhand smoke are also more likely to have reduced lung function and symptoms of respiratory irritation like coughing, excess phlegm, and wheezing
- Passive smoking can lead to a buildup of fluid in the middle ear (otitis media), the most common cause of hospitalization of children for an operation
- Asthmatic children are especially at risk. The U. S. Environmental Protection Agency estimates that exposure to secondhand smoke increases the number of episodes and severity of symptoms in hundreds of thousands of asthmatic children and up to 1,000,000 asthmatic children have their condition made worse by exposure to secondhand smoke.
- When taking your child to a physician for a check-up or illness, mention that the child is exposed to passive smoke
- Passive smoking may also cause thousands of non-asthmatic children to develop asthma each year.

● **OTHER HEALTH IMPLICATIONS**

- Exposure to secondhand smoke causes irritation of the eyes, nose, and throat
- Passive smoking can also irritate the lungs, leading to coughing, excess phlegm, chest discomfort, and reduced lung function
- Secondhand smoke may affect the cardiovascular system, and some studies have linked exposure to secondhand smoke with the onset of chest pain

For more information, call 1-800-662-6563



RADON AND ITS MEDICAL CONSEQUENCES



The National Medical Association (NMA), founded in 1895, is the professional organization that represents 16,000 Black physicians in the United States, including Puerto Rico and the Virgin Islands. The NMA actively addresses all issues impacting the ability of its members to deliver quality health care. For additional information, please contact the NMA, 1012 10th Street, NW, Washington, DC 20001.

Indoor radon exposure is estimated to be the second leading cause of lung cancer deaths each year. An estimated 6 million homes in the U.S. may have indoor radon levels at or above the Federal government's recommended action levels. Radon is a naturally occurring radioactive gas which accumulates indoors from soil. Radium, which releases radon, is commonplace in the earth's crust. The radon gas seeps up through porous soil under the home or building, and enters through gaps and cracks in the foundation or in the insulation, through pipes, drains, walls or other openings.

● SIGNIFICANCE TO BLACKS

- * Blacks suffer from diseases of the lung, particularly lung cancer, at a disproportionate rate
- * Lung and bronchus cancer is the leading site of excess mortality in Black men and the second leading site in Black women
- * The lung cancer risk from the combined effect of smoking and radon exposure may be greater than from either smoking or radon
- * Since cigarette smoking is more prevalent among Black men and women than white men and women, Blacks are at an increased risk for radon

● PREVALENCE

- * Radon is estimated to cause between 7,000 and 30,000 deaths per year
- * Radon is the second leading cause of lung cancer
- * Nearly 1 out of 15 homes in the U.S. have elevated radon levels
- * Radon is found all over the United States

● RISK FACTORS

Your chances of getting lung cancer from radon depend mostly on:

- * How much radon is in your home
- * The amount of time you spend in your home
- * Whether you are a smoker or have ever smoked

● PREVENTION STRATEGIES

- * Test for radon
- * Repair homes, if radon level is above recommended action level (4pCi/l)
- * Build new homes with radon resistant features
- * Smoking cessation to lower risk from lung cancer

For more information call 1-800-662-6563.

National Medical Association
and
Environmental Protection Agency
Present

Radon Education Program

for
Radon Awareness in the African American Community

1. Do you know
what Radon is?

Do you know if
your home is safe
for you and your
family?

Do you know
why African
Americans may
be at higher
risk than white
Americans?

Your Life Could Depend on It

For More Information
Contact

Beverly M. Gaines, M.D.
Local Coalition Coordinator
585-2924.

SECONDHAND SMOKE

What You Can Do About Secondhand Smoke

As Parents,



Decisionmakers,



and Building Occupants



What Is Secondhand Smoke?

WHAT IS SECONDHAND SMOKE?

- Secondhand smoke is a mixture of the smoke given off by the burning end of a cigarette, pipe, or cigar, and the smoke exhaled from the lungs of smokers.
- This mixture contains more than 4,000 substances, more than 40 of which are known to cause cancer in humans or animals and many of which are strong irritants.
- Secondhand smoke is also called environmental tobacco smoke (ETS); exposure to secondhand smoke is called involuntary smoking, or passive smoking.

SECONDHAND SMOKE CAN CAUSE LUNG CANCER IN NONSMOKERS

- Secondhand smoke has been classified by the U.S. Environmental Protection Agency (EPA) as a known cause of lung cancer in humans (Group A carcinogen).
- Passive smoking is estimated by EPA to cause approximately 3,000 lung cancer deaths in nonsmokers each year.

SECONDHAND SMOKE IS A SERIOUS HEALTH RISK TO CHILDREN

- The developing lungs of young children are also affected by exposure to secondhand smoke.
- Infants and young children whose parents smoke are among the most seriously affected by exposure to secondhand smoke, being at increased risk of lower respiratory tract infections such as pneumonia and bronchitis. EPA estimates that passive smoking is responsible for between 150,000 and 300,000 lower respiratory tract infections in infants and children under 18 months of age annually, resulting in between 7,500 and 15,000 hospitalizations each year.
- Children exposed to secondhand smoke are also more likely to have reduced lung function and symptoms of respiratory irritation like cough, excess phlegm, and wheeze.
- Passive smoking can lead to a buildup of fluid in the middle

ear, the most common cause of hospitalization of children for an operation.

- Asthmatic children are especially at risk. EPA estimates that exposure to secondhand smoke increases the number of episodes and severity of symptoms in hundreds of thousands of asthmatic children. EPA estimates that between 200,000 and 1,000,000 asthmatic children have their condition made worse by exposure to secondhand smoke. Passive smoking may also cause thousands of non-asthmatic children to develop the condition each year.

OTHER HEALTH IMPLICATIONS

- Exposure to secondhand smoke causes irritation of the eye, nose, and throat.
- Passive smoking can also irritate the lungs, leading to coughing, excess phlegm, chest discomfort, and reduced lung function.
- Secondhand smoke may affect the cardiovascular system, and some studies have linked exposure to secondhand smoke with the onset of chest pain.

For More Information

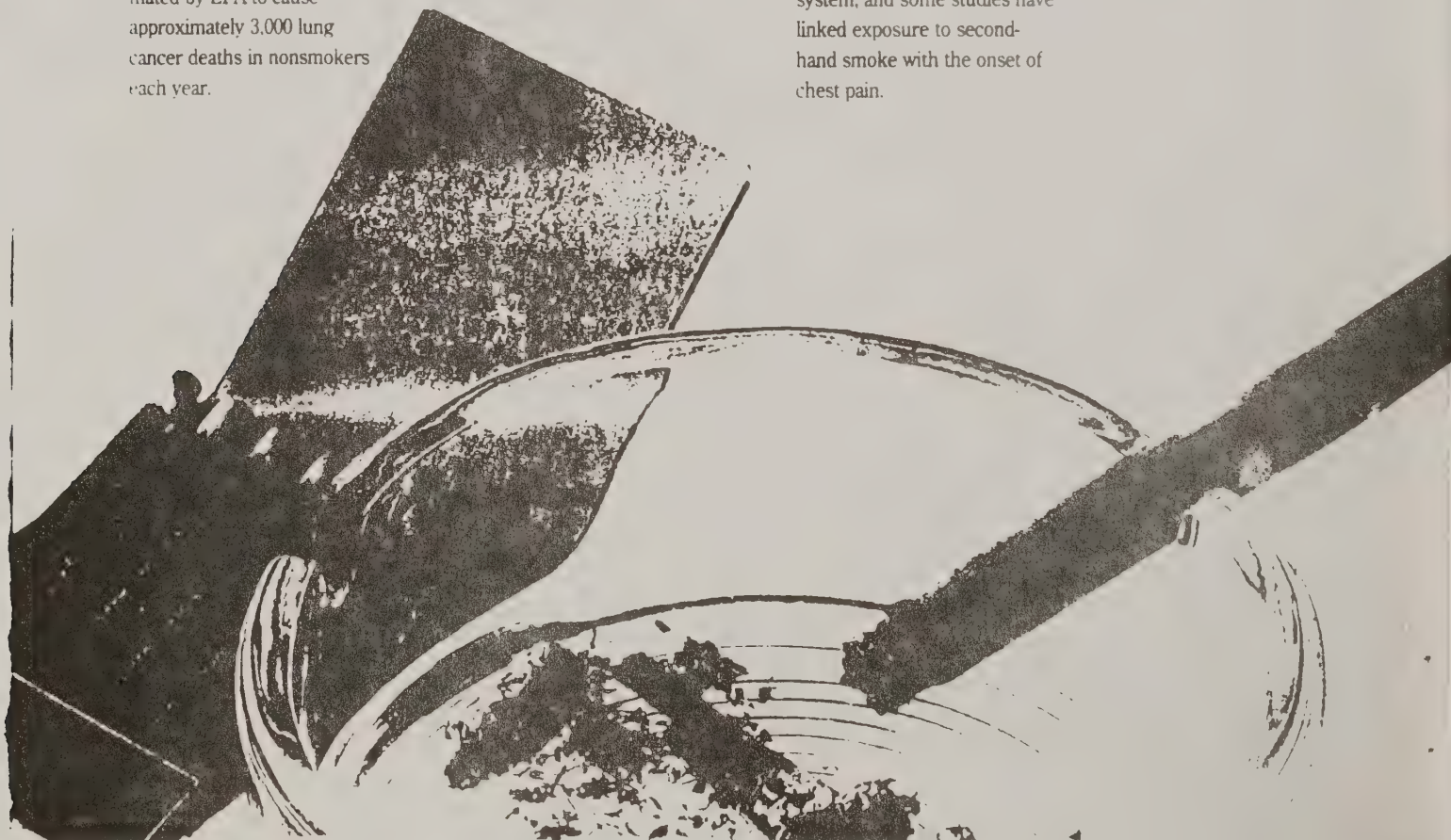
U.S. Environmental Protection Agency
Indoor Air Quality Information Clearinghouse (IAQ INFO)
P. O. Box 37133
Washington, DC 20013-7133
1-800-438-4318

Office on Smoking and Health/Centers for Disease Control and Prevention
Mail Stop K-50
4770 Buford Highway, N.E.
Atlanta, GA 30341-3724
404-488-5705

National Cancer Institute
Building 31, Room 10A24
9000 Rockville Pike
Bethesda, MD 20892
1-800-4-CANCER

National Heart, Lung, and Blood Institute
Information Center
P. O. Box 30105
Bethesda, MD 20824-0105
301-951-3260

National Institute for Occupational Safety and Health
4676 Columbia Parkway
Cincinnati, OH 45226-1998
1-800-35-NIOSH





El Radón

Guía para su protección y la de su familia



A Guide to Radon

How to Protect Yourself and Your Family



EL RADÓN



EL RADÓN

Guía para su protección y la de su familia
A Guide to Radon: How To Protect Yourself and Your Family

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SURGEON GENERAL HEALTH ADVISORY:

"Indoor radon gas is a national health problem. Radon causes thousands of deaths each year. Millions of homes have elevated radon levels. Homes should be tested for radon. When elevated levels are confirmed, the problem should be corrected."



ADVERTENCIA DE LA CIRUJANA GENERAL:

"El gas radón que se encuentra en el interior de las viviendas es un problema sanitario de orden nacional, ya que este gas causa la muerte de miles de personas todos los años. Hay millones de viviendas con niveles de radón muy elevados. Por esta razón, para saber si una vivienda está contaminada es necesario hacer pruebas que puedan detectar la presencia del gas. Si se confirma que el nivel de radón es muy elevado, hay que corregir el problema."

EPA



CDC

A Citizen's Guide To Radon (Second Edition)

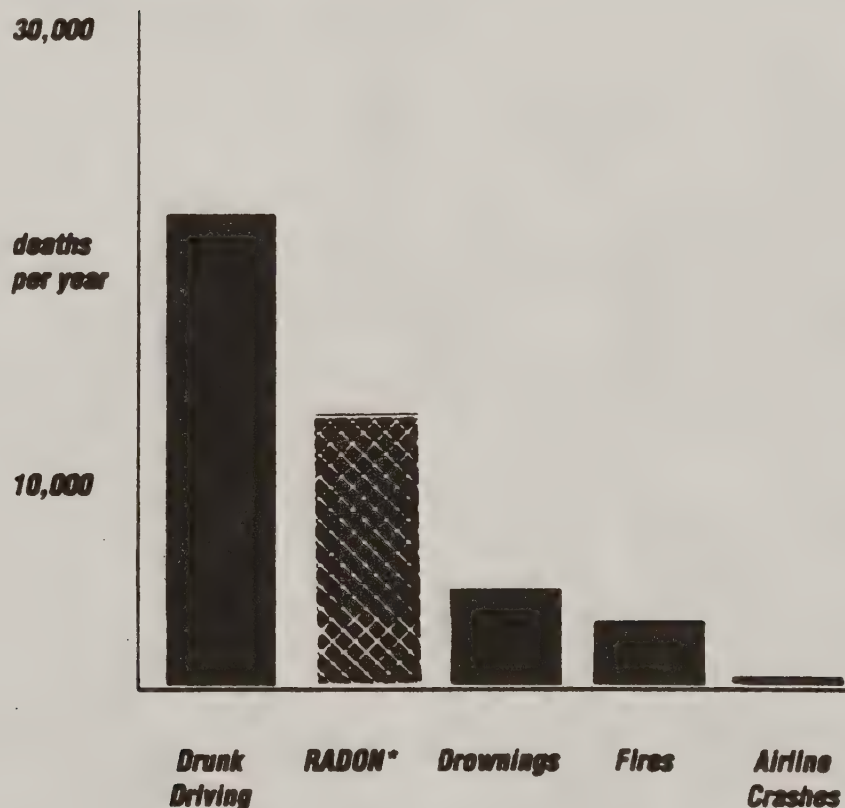
The Guide To Protecting Yourself And Your Family From Radon



EPA Recommends:

- ▼ ***Test your home for radon—it's easy and inexpensive.***
- ▼ ***Fix your home if your radon level is 4 picocuries per liter (pCi/L) or higher.***
- ▼ ***Radon levels less than 4 pCi/L still pose a risk, and in many cases may be reduced.***

***Radon is
estimated
to cause
thousands of
cancer deaths
in the U.S.
each year.***



* Radon is estimated to cause about 14,000 deaths per year—however, this number could range from 7,000 to 30,000 deaths per year. The numbers of deaths from other causes are taken from 1990 National Safety Council reports.

Radon is a cancer-causing, radioactive gas.

You can't see radon. And you can't smell it or taste it. But it may be a problem in your home.

Radon is estimated to cause many thousands of deaths each year. That's because when you breathe air containing radon, you can get lung cancer. In fact, the Surgeon General has warned that radon is the second leading cause of lung cancer in the United States today. Only smoking causes more lung cancer deaths. **If you smoke and your home has high radon levels, your risk of lung cancer is especially high.**

Radon can be found all over the U.S.

Radon comes from the natural (radioactive) breakdown of uranium in soil, rock and water and gets into the air you breathe. Radon can be found all over the U.S. It can get into any type of building – homes, offices, and schools – and build up to high levels. But you and your family are most likely to get your greatest exposure at home. That's where you spend most of your time.

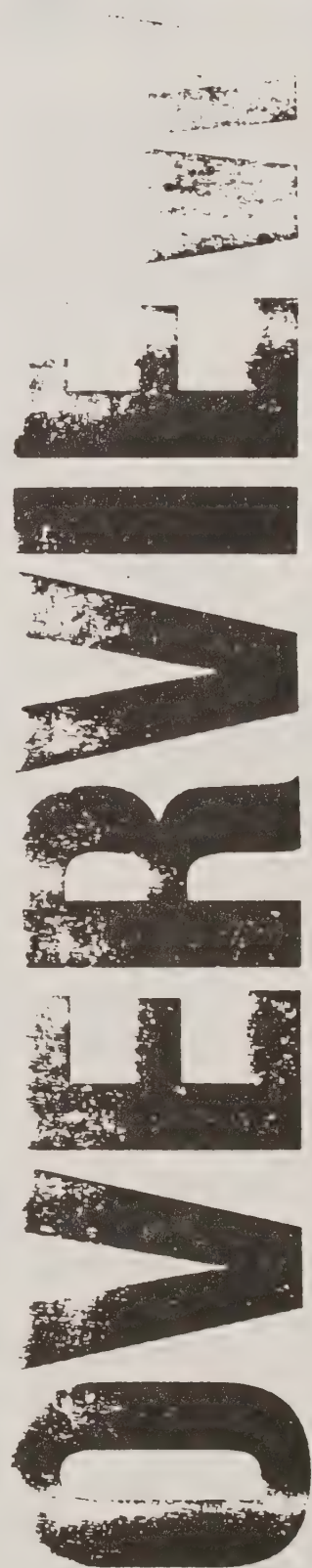
You should test for radon.

Testing is the only way to know if you and your family are at risk from radon. EPA and the Surgeon General recommend testing all homes below the third floor for radon. EPA also recommends testing in schools.

Testing is inexpensive and easy – it should only take a few minutes of your time. Millions of Americans have already tested their homes for radon.

You can fix a radon problem.

There are simple ways to fix a radon problem that aren't too costly. Even very high levels can be reduced to acceptable levels.



RADON MYTHS

MYTH: Scientists aren't sure radon really is a problem.

FACT: Although some scientists dispute the precise number of deaths due to radon, all major health organizations (like the Centers for Disease Control, the American Lung Association and the American Medical Association) agree with estimates that radon causes thousands of preventable lung cancer deaths every year. This is especially true among smokers, since the risk to smokers is much greater than to non-smokers.

MYTH: Radon testing is difficult, time-consuming and expensive.

FACT: Radon testing is inexpensive and easy--it should take only a little of your time.

MYTH: Radon test kits are not reliable and are difficult to find.

FACT: Reliable test kits are available through the mail, in hardware stores and other retail outlets. Call your state radon office (see page 15) for a list of test kit companies that have met EPA requirements for reliability or are state certified.

MYTH: Homes with radon problems can't be fixed.

FACT: There are simple solutions to radon problems in homes. Thousands of homeowners have already fixed radon problems in their homes. Radon levels can be readily lowered for about \$500 to \$2,500. Call your state radon office (see page 15) for a list of contractors that have met EPA requirements or are state certified.

MYTH: Radon only affects certain kinds of homes.

FACT: House construction can affect radon levels. However, radon can be a problem in homes of all types: old homes, new homes, drafty homes, insulated homes, homes with basements, homes without basements.

MYTH: Radon is only a problem in certain parts of the country.

FACT: High radon levels have been found in every state. Radon problems do vary from area to area, but the only way to know your radon level is to test.

MYTH: A neighbor's test result is a good indication of whether your home has a problem.

FACT: It's not. Radon levels vary from home to home. The only way to know if your home has a radon problem is to test it.

MYTH: Everyone should test their water for radon.

FACT: While radon gets into some homes through the water, you should first test the air in your home for radon. If you find high levels and your water comes from a well, contact a lab certified to measure radiation in water to have your water tested.

MYTH: It's difficult to sell homes where radon problems have been discovered.

FACT: Where radon problems have been fixed, home sales have not been blocked or frustrated. The added protection is some times a good selling point.

MYTH: I've lived in my home for so long, it doesn't make sense to take action now.

FACT: You will reduce your risk of lung cancer when you reduce radon levels, even if you've lived with a radon problem for a long time.

MYTH: Short-term tests can't be used for making a decision about whether to fix your home.

FACT: A short-term test followed by a second short-term test may be used to decide whether to fix your home. However, the closer the average of your two short-term tests is to 4 pCi/L, the less certain you can be about whether your year-round average is above or below that level. Keep in mind that radon levels below 4 pCi/L still pose some risk. Radon levels can be reduced in most homes to 2 pCi/L or below.

STATE RADON CONTACTS

| | | | |
|----------------------|--------------|----------------|--------------------|
| Alabama | 800/582-1866 | Montana | 406/444-3671 |
| Alaska | 800/478-8324 | Nebraska | 800/334-9491 |
| Arizona | 602/255-4845 | Nevada | 702/687-5394 |
| Arkansas | 501/661-2301 | New Hampshire | 800/852-3345 x4674 |
| California | 800/745-7236 | New Jersey | 800/648-0394 |
| Colorado | 800/846-3986 | New Mexico | 505/827-4300 |
| Connecticut | 203/566-3122 | New York | 800/458-1158 |
| Delaware | 800/554-4636 | North Carolina | 919/571-4141 |
| District of Columbia | 202/727-5728 | North Dakota | 701/221-5188 |
| Florida | 800/543-8279 | Ohio | 800/523-4439 |
| Georgia | 800/745-0037 | Oklahoma | 405/271-1902 |
| Hawaii | 808/586-4700 | Oregon | 503/731-4014 |
| Idaho | 800/445-8647 | Pennsylvania | 800/237-2366 |
| Illinois | 800/325-1245 | Puerto Rico | 809/767-3563 |
| Indiana | 800/272-9723 | Rhode Island | 401/277-2438 |
| Iowa | 800/383-5992 | South Carolina | 800/768-0362 |
| Kansas | 913/296-6183 | South Dakota | 800/438-3367 |
| Kentucky | 502/564-3700 | Tennessee | 800/232-1139 |
| Louisiana | 800/256-2494 | Texas | 512/834-6688 |
| Maine | 800/232-0842 | Utah | 800/536-4250 |
| Maryland | 800/872-3666 | Vermont | 800/640-0601 |
| Massachusetts | 413/586-7525 | Virginia | 800/468-0138 |
| Michigan | 800/723-6642 | West Virginia | 800/922-1255 |
| Minnesota | 800/798-9050 | Wisconsin | 608/267-4795 |
| Mississippi | 800/626-7739 | Wyoming | 800/458-5847 |
| Missouri | 800/669-7236 | | |

INDIAN NATIONS

| | | | |
|---------------------------|--------------|---------------------------|--------------|
| All Indian Pueblo Council | 505-881-2254 | Oneida Indian Nation | 315-361-6300 |
| Cherokee Nation | 918-458-5496 | Seneca Nation | 716-532-0024 |
| Chickasaw Nation | 405-436-2603 | St. Regis Mohawk Tribe | 518-358-3141 |
| Hopi Tribe | 602-734-2441 | For Indian Nations in the | |
| Inner Tribal Council | 602-248-0071 | States of MN, WI, IL | |
| Jicarilla Apache Tribe | 505-759-3242 | MI, IN and OH call | 312-886-6063 |
| Navajo Nation | 602-871-7754 | | |

FOR FURTHER INFORMATION

For more information on how to reduce your radon health risk, ask your state radon office to send you these guides:

- **Home Buyer's and Seller's Guide to Radon**
- **Radon in Schools**
- **Radon: A Physician's Guide**
- **Consumer's Guide to Radon Reduction**
- **Technical Support Document**

If you plan to make repairs yourself, be sure to contact your state radon office (see above) for a current copy of EPA's technical guidance on radon mitigation, *Application of Radon Reduction Techniques for Detached Houses.*



NATIONAL LEAD INFORMATION CENTER. 800-LEAD-FYI

HOME REPAIRS AND RENOVATIONS: WHAT YOU SHOULD KNOW ABOUT LEAD-BASED PAINT

Any house or apartment built before 1978 may contain lead-based paint. **Most** homes built before 1960 contain lead-based paint. Lead-based paint produced before 1960 contains higher concentrations of lead than paint manufactured in later years.



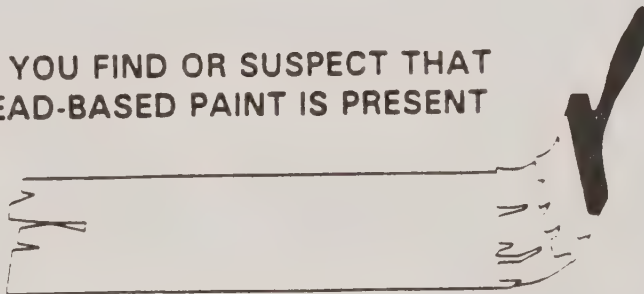
Lead-based paint can be on walls, ceilings, woodwork, windows, and sometimes floors. When lead-based paint on these surfaces is broken, sanded, or scraped, it breaks into tiny, sometimes invisible, pieces that your child may swallow or inhale. Even small repair and renovation jobs, including repainting projects, can create enough lead dust and chips to harm your child.

BEFORE YOU REPAIR OR RENOVATE

BEFORE you disturb a surface with old paint on it, you should, if possible,

- Call your local health department and ask if they can test your home for lead-based paint. If the health department cannot test, ask them who can.
- If lead-based paint is found in your home, have the repair or renovation done by a worker who has been trained to protect your family and home from exposure to lead dust and chips.

IF YOU FIND OR SUSPECT THAT LEAD-BASED PAINT IS PRESENT



You should **AVOID** the following activities, which can produce paint dust and chips, in areas of your home where you know or suspect there is lead-based paint:

- scraping, sanding, or using a heat gun on painted surfaces before repainting;
- making holes in walls to get at pipes or install electrical outlets;
- tearing out walls;
- repeatedly bumping furniture or other objects into painted walls;
- unnecessarily opening and closing windows with painted frames and sills.

If you must do repairs or renovations yourself in areas where you know or suspect lead-based paint is present, you **SHOULD**

- Move children and pregnant women to another apartment or house until work is completed and the area is properly cleaned.
- Cover exposed areas. If the area is small, such as an electrical outlet, keep that area covered until repair and cleanup are completed. If the area being worked on is large, such as a wall being torn down, use plastic coverings to seal off entrances and ducts and to protect furniture, carpets, rugs, and floors from paint dust and chips. Dispose of the plastic carefully.

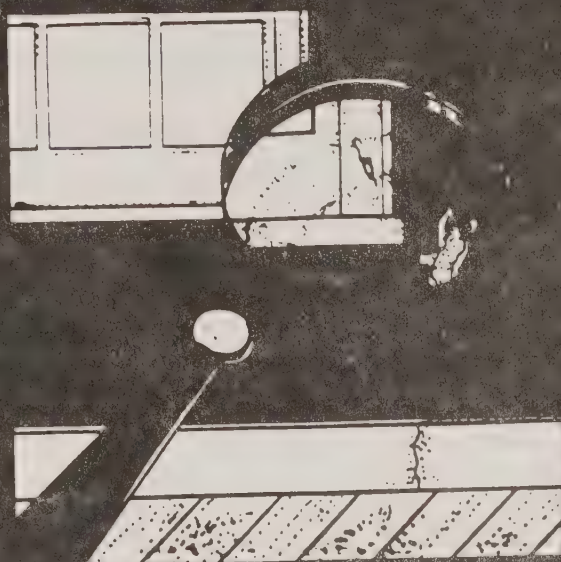
- To keep dust down, wet painted surfaces before you work on them.
- Clean up thoroughly.
 - Always clean up dust and chips with wet mops or rags soaked in a solution of trisodium phosphate (TSP) or phosphate-containing powdered dishwasher detergent and warm water. (Powdered dishwasher detergents are recommended because most have high phosphate contents. Most multipurpose household cleaners are not effective in cleaning up lead dust.) To avoid skin irritation when cleaning up with TSP or high-phosphate dishwasher detergent, wear protective gloves.
 - Use two buckets--one for wash water and one for rinse water. Always wring dirty water into the wash water bucket.
 - To prevent recontamination of cleaned surfaces, wash mops and rags thoroughly after each use. If this is not possible, or if you have already used the mops and rags several times, place them in plastic bags and dispose of them carefully.
- Avoid sweeping or vacuuming the work area. Sweeping spreads lead dust around. Vacuuming also spreads lead dust around, since tiny lead particles can pass through and out of ordinary vacuum cleaners.

IF REPAIRS OR RENOVATIONS HAVE ALREADY OCCURED

If repairs or renovations of areas you know or suspect contain lead-based paint have already occurred or are occurring in or around your home, you should do the following:

- Keep children away from paint dust and chips.
- Clean up all dust and chips with wet mops and rags, as described above. Pay special attention to floors and to window sills and window wells (where the bottom of the window sash rests when the window is closed).
- Close your windows if work is going on outside your home that may be scattering dust--for example, a neighbor scraping exterior paint. Using wet mops and rags, clean up any dust that has gotten into your home.
- Have your children under six years old tested for lead. To arrange for testing, call your doctor or your local health department.

10/92



Protect Your Family From Lead in Your Home



United States
Environmental Protection
Agency



United States Consumer
Product Safety Commission

U.S. EPA Washington DC 20460
U.S. CPSC Washington DC 20207

EPA747-K-94-001
May 1995

Are You Planning To Buy, Rent, or Renovate a Home Built Before 1978?

Many houses and apartments built before 1978 have paint that contains lead (called lead-based paint). Lead from paint, chips, and dust can pose serious health hazards if not taken care of properly.

By 1996, federal law will require that individuals receive certain information before renting, buying, or renovating pre-1978 housing:



LANDLORDS will have to disclose known information on lead-based paint hazards before leases take effect. Leases will include a federal form about lead-based paint.



SELLERS will have to disclose known information on lead-based paint hazards before selling a house. Sales contracts will include a federal form about lead-based paint in the building. Buyers will have up to 10 days to check for lead hazards.



RENOVATORS will have to give you this pamphlet before starting work.



IF YOU WANT MORE INFORMATION on these requirements, call the National Lead Information Clearinghouse at **1-800-424-LEAD**.

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IMPORTANT!

Lead From Paint, Dust, and Soil Can Be Dangerous If Not Managed Properly

- FACT:** Lead exposure can harm young children and babies even before they are born.
- FACT:** Even children that seem healthy can have high levels of lead in their bodies.
- FACT:** People can get lead in their bodies by breathing or swallowing lead dust, or by eating soil or paint chips with lead in them.
- FACT:** People have many options for reducing lead hazards. In most cases, lead-based paint that is in good condition is not a hazard.
- FACT:** Removing lead-based paint improperly can increase the danger to your family.

If you think your home might have lead hazards, read this pamphlet to learn some simple steps to protect your family.

Lead Gets in the Body in Many Ways

1 out of every 11 children in the United States has dangerous levels of lead in the blood-stream.

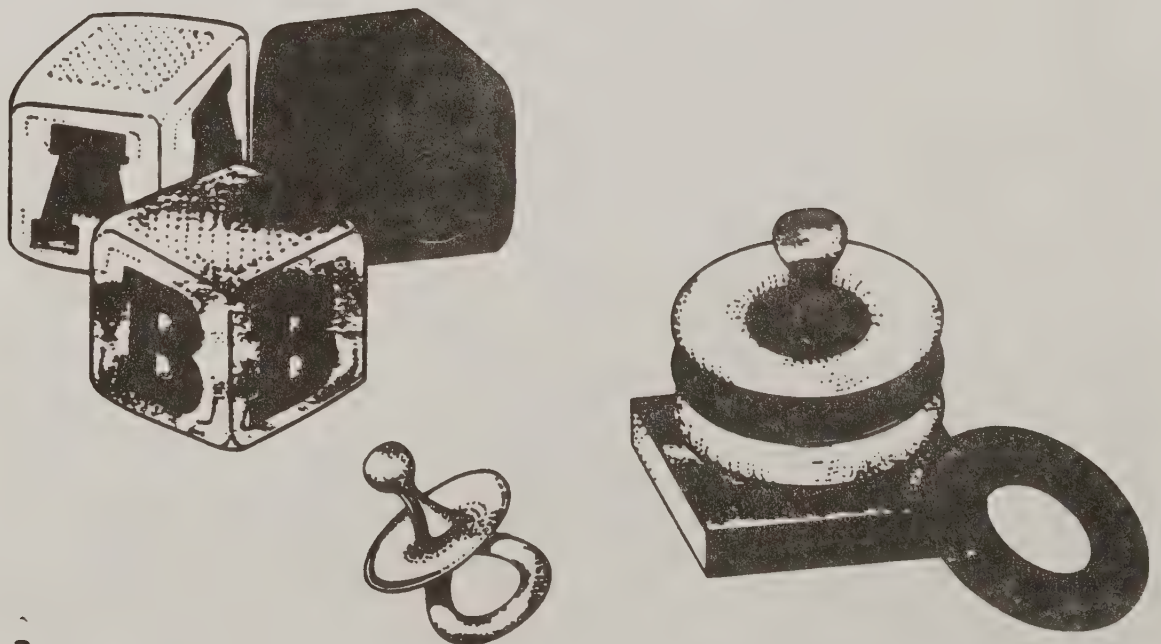
Even children who appear healthy can have dangerous levels of lead.

People can get lead in their body if they:

- ◆ Put their hands or other objects covered with lead dust in their mouths.
- ◆ Eat paint chips or soil that contains lead.
- ◆ Breathe in lead dust (especially during renovations that disturb painted surfaces).

Lead is even more dangerous to children than adults because:

- ◆ Babies and young children often put their hands and other objects in their mouths. These objects can have lead dust on them.
- ◆ Children's growing bodies absorb more lead.
- ◆ Children's brains and nervous systems are more sensitive to the damaging effects of lead.



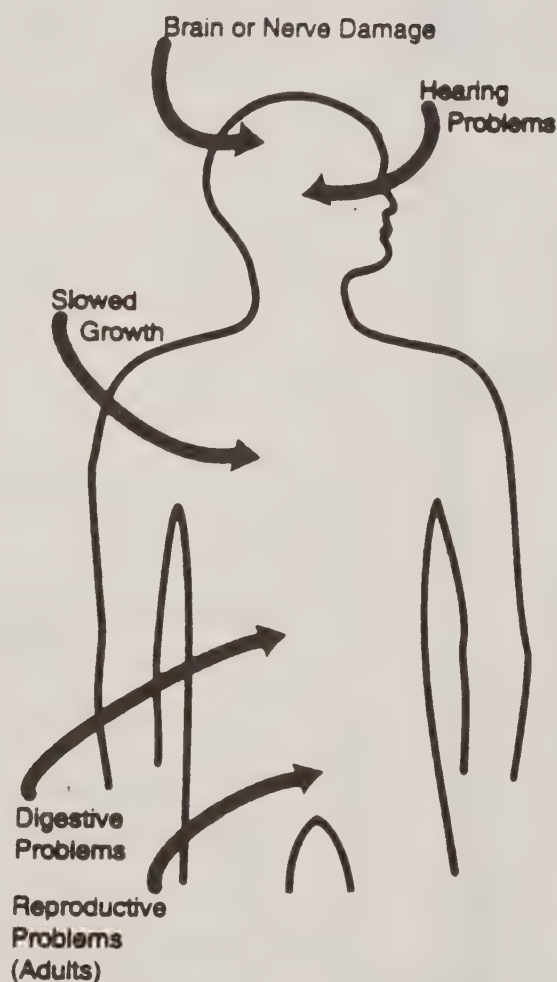
Lead's Effects

If not detected early, children with high levels of lead in their bodies can suffer from:

- ◆ Damage to the brain and nervous system
- ◆ Behavior and learning problems (such as hyperactivity)
- ◆ Slowed growth
- ◆ Hearing problems
- ◆ Headaches

Lead is also harmful to adults.
Adults can suffer from:

- ◆ Difficulties during pregnancy
- ◆ Other reproductive problems (in both men and women)
- ◆ High blood pressure
- ◆ Digestive problems
- ◆ Nerve disorders
- ◆ Memory and concentration problems
- ◆ Muscle and joint pain



Lead affects the body in many ways.

Checking Your Family for Lead

Get your children tested if you think your home has high levels of lead.

A simple blood test can detect high levels of lead. Blood tests are important for:

- ◆ Children who are 6 months to 1 year old (6 months if you live in an older home with cracking or peeling paint).
- ◆ Family members that you think might have high levels of lead.

If your child is older than 1 year, talk to your doctor about whether your child needs testing.

Your doctor or health center can do blood tests. They are inexpensive and sometimes free. Your doctor will explain what the test results mean. *Treatment can range from changes in your diet to medication or a hospital stay.*

Where Lead-Based Paint Is Found

In general, the older your home, the more likely it has lead-based paint.

Many homes built before 1978 have lead-based paint. The federal government banned lead-based paint from housing in 1978. Some states stopped its use even earlier. Lead can be found:

- ◆ In homes in the city, country, or suburbs.
- ◆ In apartments, single-family homes, and both private and public housing.
- ◆ Inside *and* outside of the house.
- ◆ In soil around a home. (Soil can pick up lead from exterior paint, or other sources such as past use of leaded gas in cars.)

Where Lead Is Likely To Be a Hazard

Lead-based paint that is in good condition is usually not a hazard.

Peeling, chipping, chalking, or cracking lead-based paint is a hazard and needs immediate attention.

Lead-based paint may also be a hazard when found on surfaces that children can chew or that get a lot of wear-and-tear. These areas include:

- ◆ Windows and window sills.
- ◆ Doors and door frames.
- ◆ Stairs, railings, and banisters.
- ◆ Porches and fences.

Lead dust can form when lead-based paint is dry scraped, dry sanded, or heated. Dust also forms when painted surfaces bump or rub together. Lead chips and dust can get on surfaces and objects that people touch. Settled lead dust can reenter the air when people vacuum, sweep, or walk through it.

Lead in soil can be a hazard when children play in bare soil or when people bring soil into the house on their shoes. Call your state agency (see page 12) to find out about soil testing for lead.

Lead from paint chips, which you can see, and lead dust, which you can't always see, can both be serious hazards



Checking Your Home for Lead Hazards

Just knowing that a home has lead-based paint may not tell you if there is a hazard.

You can get your home checked for lead hazards in one of two ways, or both:

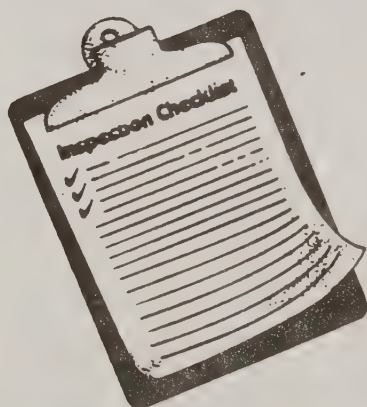
- ◆ A **paint inspection** tells you the lead content of every painted surface in your home. It won't tell you whether the paint is a hazard or how you should deal with it.
- ◆ A **risk assessment** tells you if there are any sources of serious lead exposure (such as peeling paint and lead dust). It also tells you what actions to take to address these hazards.

Have qualified professionals do the work. *The federal government is writing standards for inspectors and risk assessors. Some states might already have standards in place. Call your state agency for help with locating qualified professionals in your area (see page 12).*

Trained professionals use a range of methods when checking your home, including:

- ◆ Visual inspection of paint condition and location.
- ◆ Lab tests of paint samples.
- ◆ Surface dust tests.
- ◆ A portable x-ray fluorescence machine.

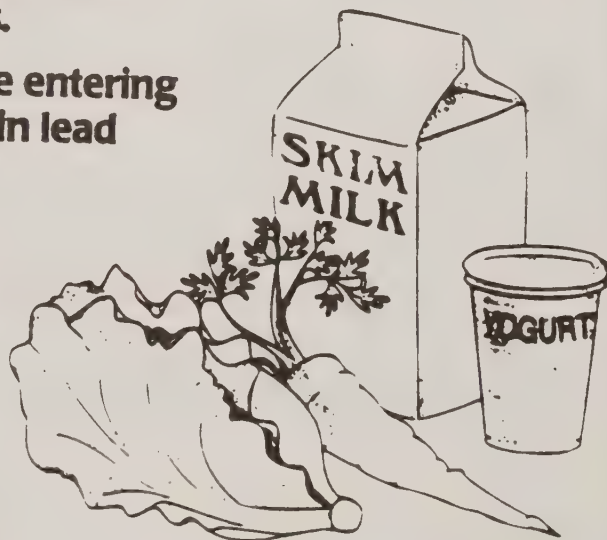
Home test kits for lead are available, but recent studies suggest that they are not always accurate. Consumers should not rely on these tests before doing renovations or to assure safety.



What You Can Do Now To Protect Your Family

If you suspect that your house has lead hazards, you can take some immediate steps to reduce your family's risk:

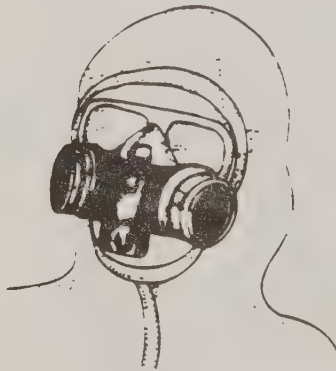
- ◆ If you rent, notify your landlord of peeling or chipping paint.
- ◆ Clean up paint chips immediately.
- ◆ Clean floors, window frames, window sills, and other surfaces weekly. Use a mop or sponge with warm water and a general all-purpose cleaner or a cleaner made specifically for lead. REMEMBER: NEVER MIX AMMONIA AND BLEACH PRODUCTS TOGETHER SINCE THEY CAN FORM A DANGEROUS GAS.
- ◆ Thoroughly rinse sponges and mop heads after cleaning dirty or dusty areas.
- ◆ Wash children's hands often, especially before they eat and before nap time and bed time.
- ◆ Keep play areas clean. Wash bottles, pacifiers, toys, and stuffed animals regularly.
- ◆ Keep children from chewing window sills or other painted surfaces.
- ◆ Clean or remove shoes before entering your home to avoid tracking in lead from soil.
- ◆ Make sure children eat nutritious, low-fat meals high in iron and calcium, such as spinach and low-fat dairy products. Children with good diets absorb less lead.



How To Significantly Reduce Lead Hazards

Removing lead improperly can increase the hazard to your family by spreading even more lead dust around the house.

Always use a professional who is trained to remove lead hazards safely.



In addition to day-to-day cleaning and good nutrition:

- ◆ You can **temporarily** reduce lead hazards by taking actions such as repairing damaged painted surfaces and planting grass to cover soil with high lead levels. These actions (called "interim controls") are not permanent solutions and will need ongoing attention.
- ◆ To **permanently** remove lead hazards, you must hire a lead "abatement" contractor. Abatement (or permanent hazard elimination) methods include removing, sealing, or enclosing lead-based paint with special materials. Just painting over the hazard with regular paint is not enough.

Always hire a person with special training for correcting lead problems—someone who knows how to do this work safely and has the proper equipment to clean up thoroughly. If possible, hire a certified lead abatement contractor. Certified contractors will employ qualified workers and follow strict safety rules as set by their state or by the federal government.

Call your state agency (see page 12) for help with locating qualified contractors in your area and to see if financial assistance is available.

Remodeling or Renovating a Home With Lead-Based Paint

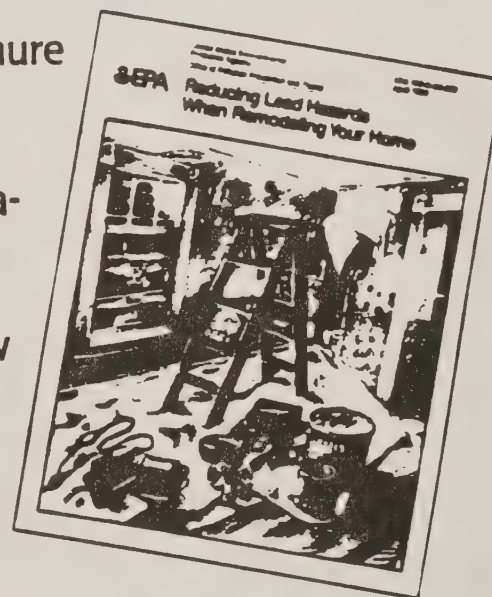
Take precautions before you begin remodeling or renovations that disturb painted surfaces (such as scraping off paint or tearing out walls):

- ◆ **Have the area tested for lead-based paint.**
- ◆ **Do not use a dry scraper, belt-sander, propane torch, or heat gun to remove lead-based paint.** These actions create large amounts of lead dust and fumes. Lead dust can remain in your home long after the work is done.
- ◆ **Temporarily move your family** (especially children and pregnant women) out of the apartment or house until the work is done and the area is properly cleaned. If you can't move your family, at least completely seal off the work area.
- ◆ **Follow other safety measures to reduce lead hazards.** You can find out about other safety measures by calling 1-800-424-LEAD. Ask for the brochure "Reducing Lead Hazards When Remodeling Your Home." This brochure explains what to do before, during, and after renovations.

If you have already completed renovations or remodeling that could have released lead-based paint or dust, get your young children tested and follow the steps outlined on page 7 of this brochure.



If not conducted properly, certain types of renovations can release lead from paint and dust into the air.



For More Information

The National Lead Information Center

Call **1-800-LEAD-FYI** to learn how to protect children from lead poisoning.

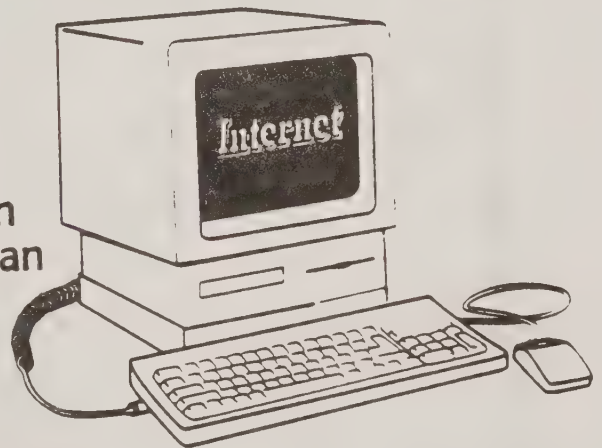
For other information on lead hazards, call the center's clearinghouse at **1-800-424-LEAD**. For the hearing impaired, call, **TDD 1-800-526-5456** (FAX: 202-659-1192, Internet: **EHC@CAIS.COM**).

EPA's Safe Drinking Water Hotline

Call **1-800-426-4791** for information about lead in drinking water.

Consumer Product Safety Commission Hotline

To request information on lead in consumer products, or to report an unsafe consumer product or a product-related injury call **1-800-638-2772**. (Internet: **info@cpsc.gov**). For the hearing impaired, call **TDD 1-800-638-8270**.



Local Sources of Information

| |
|--|
| |
|--|

State Health and Environmental Agencies

Some cities and states have their own rules for lead-based paint activities. Check with your state agency (listed below) to see if state or local laws apply to you. Most state agencies can also provide information on finding a lead abatement firm in your area, and on possible sources of financial aid for reducing lead hazards.

| State/Region | Phone Number | | |
|----------------|----------------|----------------|----------------|
| Alabama | (205) 242-5661 | Missouri | (314) 526-4911 |
| Alaska | (907) 465-5152 | Montana | (406) 444-3671 |
| Arkansas | (501) 661-2534 | Nebraska | (402) 471-2451 |
| Arizona | (602) 542-7307 | Nevada | (702) 687-6615 |
| California | (510) 450-2424 | New Hampshire | (603) 271-4507 |
| Colorado | (303) 692-3012 | New Jersey | (609) 633-2043 |
| Connecticut | (203) 566-5808 | New Mexico | (505) 841-8024 |
| Washington, DC | (202) 727-9850 | New York | (800) 458-1158 |
| Delaware | (302) 739-4735 | North Carolina | (919) 715-3293 |
| Florida | (904) 488-3385 | North Dakota | (701) 328-5188 |
| Georgia | (404) 657-6514 | Ohio | (614) 466-1450 |
| Hawaii | (808) 832-5860 | Oklahoma | (405) 271-5220 |
| Idaho | (208) 332-5544 | Oregon | (503) 248-5240 |
| Illinois | (800) 545-2200 | Pennsylvania | (717) 782-2884 |
| Indiana | (317) 382-6662 | Rhode Island | (401) 277-3424 |
| Iowa | (800) 972-2026 | South Carolina | (803) 935-7945 |
| Kansas | (913) 296-0189 | South Dakota | (605) 773-3153 |
| Kentucky | (502) 564-2154 | Tennessee | (615) 741-5683 |
| Louisiana | (504) 765-0219 | Texas | (512) 834-6600 |
| Massachusetts | (800) 532-9571 | Utah | (801) 536-4000 |
| Maryland | (410) 631-3859 | Vermont | (802) 863-7231 |
| Maine | (207) 287-4311 | Virginia | (800) 523-4019 |
| Michigan | (517) 335-8885 | Washington | (206) 753-2556 |
| Minnesota | (612) 627-5498 | West Virginia | (304) 558-2981 |
| Mississippi | (601) 960-7463 | Wisconsin | (608) 266-5885 |
| | | Wyoming | (307) 777-7391 |

EPA Regional Offices

Your Regional EPA Office can provide further information regarding regulations and lead protection programs.

EPA Regional Offices

Region 1 (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont)

John F. Kennedy Federal Building
One Congress Street
Boston, MA 02203
(617) 565-3420

Region 2 (New Jersey, New York, Puerto Rico, Virgin Islands)
Building 5
2890 Woodbridge Avenue
Edison, NJ 08837-3679
(908) 321-6671

Region 3 (Delaware, Washington DC, Maryland, Pennsylvania, Virginia, West Virginia)
841 Chestnut Building
Philadelphia, PA 19107
(215) 597-9800

Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee)
345 Courtland Street, NE
Atlanta, GA 30365
(404) 347-4727

Region 5 (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)
77 West Jackson Boulevard
Chicago, IL 60604-3590
(312) 886-6003

Region 6 (Arkansas, Louisiana, New Mexico, Oklahoma, Texas)
First Interstate Bank Tower
1445 Ross Avenue, 12th Floor, Suite 1200
Dallas, TX 75202-2733
(214) 665-7244

Region 7 (Iowa, Kansas, Missouri, Nebraska)
726 Minnesota Avenue
Kansas City, KS 66101
(913) 551-7020

Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)
999 18th Street, Suite 500
Denver, CO 80202-2405
(303) 293-1603

Region 9 (Arizona, California, Hawaii, Nevada)
75 Hawthorne Street
San Francisco, CA 94105
(415) 744-1124

Region 10 (Idaho, Oregon, Washington, Alaska)
1200 Sixth Avenue
Seattle, WA 98101
(206) 553-1200

CPSC Regional Offices

Eastern Regional Center
6 World Trade Center
Vesey Street, Room 350
New York, NY 10048
(212) 466-1612

Central Regional Center
230 South Dearborn Street
Room 2944
Chicago, IL 60604-1601
(312) 353-8260

Western Regional Center
600 Harrison Street, Room 245
San Francisco, CA 94107
(415) 744-2966

Simple Steps To Protect Your Family From Lead Hazards

If you think your home has high levels of lead:

- ◆ Get your young children tested for lead, even if they seem healthy.
- ◆ Wash children's hands, bottles, pacifiers, and toys often.
- ◆ Make sure children eat healthy, low-fat foods.
- ◆ Get your home checked for lead hazards.
- ◆ Regularly clean floors, window sills, and other surfaces.
- ◆ Wipe soil off shoes before entering house.
- ◆ Talk to your landlord about fixing surfaces with peeling or chipping paint.
- ◆ Take precautions to avoid exposure to lead dust when remodeling or renovating (call 1-800-424-LEAD for guidelines).
- ◆ Don't use a belt-sander, propane torch, dry scraper, or dry sandpaper on painted surfaces that may contain lead.
- ◆ Don't try to remove lead-based paint yourself.

How much lead is in my home?

Lead inspections

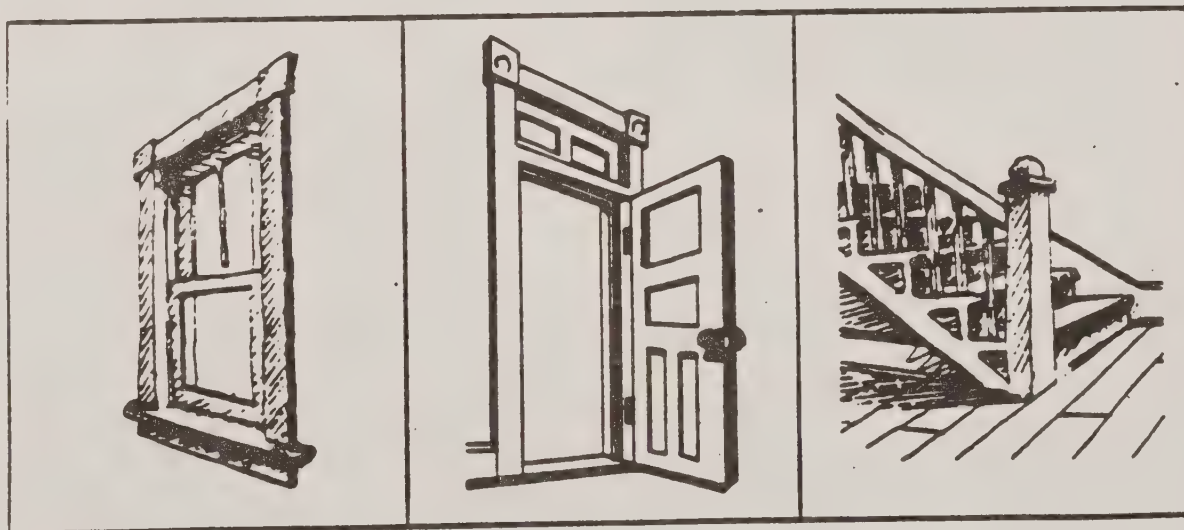
To find out if you have lead in your home, an inspector should test for lead in paint, dust, water, and soil. Only trained inspectors should test for lead! For more information, call the D.C. Lead Poisoning Prevention Project at 1-202-727-9850.

What should an inspector test for?

Inspectors should test for lead in paint and lead in dust. Lead dust from chipping and flaking paint is the most dangerous form of lead.

Paint flakes and chips often occur where painted surfaces:

- Rub against something (such as surfaces on windows and floors).
- Get hit with force (such as on doors).
- Are water-damaged (in rooms such as kitchens, bathrooms, and basements).



Does your home need to be tested?

If your home (or apartment) was built before 1980, you or your landlord should have it tested for lead. If you have children where you live, you should have your home tested TODAY! The Federal government must test all public housing built before 1978.

OVER, PLEASE.

1. The first part of the paper is devoted to a general discussion of the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters α and β . It is shown that the system has solutions for all values of the parameters α and β if and only if the condition $\alpha + \beta > 0$ is satisfied.

2. In the second part of the paper the question of the stability of the solutions of the system (1) is considered. It is shown that the solutions are stable for all values of the parameters α and β if and only if the condition $\alpha + \beta > 0$ is satisfied.

3. In the third part of the paper the question of the asymptotic behavior of the solutions of the system (1) is considered. It is shown that the solutions tend to zero as $t \rightarrow \infty$ for all values of the parameters α and β if and only if the condition $\alpha + \beta > 0$ is satisfied.

NATIONAL LEAD INFORMATION CENTER HOTLINE. 1-800-LEAD-FYI

TESTING YOUR HOME FOR LEAD

WHO SHOULD DO THE TESTING?

Testing to determine the presence of lead in paint, dust, water, and soil is best done by trained professionals. Contact your local public health organization for information on lead inspection services and testing laboratories in your area. Other community organizations may be able to provide information or referrals for inspection services.

Some states require that lead inspectors be state-certified. If your state has this requirement, be sure to hire a state-certified inspector.

TESTING FOR LEAD IN PAINT

To thoroughly analyze the paint in your home, each different painted surface should be tested. Different paints may have been used on walls, window frames, doors, and so on. Paints may also differ from room to room. Each of your home's painted surfaces, both inside and outside, should be tested separately.

Professional testing companies use two basic methods to measure lead in paint:

- X-ray fluorescence (XRF) uses portable detectors that X-ray a painted surface to measure the amount of lead in all the layers of paint. This type of testing is done in the home and disturbs little, if any, paint.
- Laboratory testing of paint samples involves removing samples of paint from each surface to be tested, usually from an area of about two square inches. Samples are sent to laboratories for analysis. This method leaves a bare spot on each surface tested.

Do-it-yourself test kits are commercially available. These kits do not tell you how much lead is present, however, and their reliability at detecting low levels of lead has not been determined. Professional testing for lead in paint is recommended over the do-it-yourself test kits. (See "Home Test Kits for Lead in Paint, Soil and Dust" on the reverse side of this sheet for additional information about home test kits.)

TESTING FOR LEAD IN HOUSEHOLD DUST

Household dust may contain tiny particles of lead released from lead-painted surfaces inside the home or tracked in with lead-contaminated soil from outside.

The recommended sampling method for dust is the surface wet wipe. Dust samples are collected from different surfaces, such as bare floors, window sills, and window wells. Each sample is collected from a measured surface area using a wet wipe, which is sent to a laboratory for testing.

TESTING FOR LEAD IN WATER

Household drinking water may contain lead, usually from old pipes that contain lead or from lead solder in plumbing.

Water samples can be collected directly from the faucet. Two samples are usually collected. One sample is taken from water that has been standing in the plumbing lines overnight or for eight hours or longer, and a second sample is taken after letting the water run for several minutes to flush the lines. The water samples are then sent to a laboratory for analysis.

TESTING FOR LEAD IN SOIL

Lead may be present in the soil around your home and near streets and highways close to your home.

To test soil for lead, samples are taken from areas near your home where children play and from areas that contain soil likely to be tracked into your home. The soil samples are sent to laboratories for analysis.

"Testing Your Home for Lead" was prepared by the U.S. Army Construction Engineering Research Laboratories, Champaign, Illinois, for distribution by the National Lead Information Center.

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HOME TEST KITS FOR LEAD IN PAINT, SOIL, AND DUST

What are home test kits?

Home test kits are chemical test kits designed to check for lead in paint, soil, and dust. These kits, which can be used by consumers or professional inspectors, are relatively inexpensive, provide quick results, and are widely available at retail hardware and home improvement stores.

How do home test kits work?

There are a number of different test kits on the market, and procedures for their use vary. Most test kits contain a chemical (either rhodizonate or sodium sulfide) that changes color in the presence of lead.

My home was built before 1978, so it may contain lead-based paint. Should I use a test kit to see whether my home has a lead problem that should be abated?

Though home test kits show promise for the future, their accuracy has not yet been proven by independent field study. For this reason, federal agencies do not currently recommend using test kit results as the basis for making decisions about abatement of lead in paint, soil, or dust. This applies to all home test kit results, including home test kit results obtained by professional inspectors.

Is the federal government currently doing any research on home test kits.

Yes. Several test kit evaluations are now under way. After those evaluations are completed in late 1993 and early 1994, updated information will be made available through the National Lead Information Center.

How can I get the paint in my home tested for lead?

Professional testing for lead in paint is recommended. (See "Testing Your Home for Lead" on the reverse side of this sheet for a brief description of the two basic testing methods most commonly used by professional inspectors.)

To receive a list of laboratories that have passed proficiency testing for analysis of lead in paint, soil, and/or dust samples, call the National Lead Information Center Clearinghouse at 1-800-424-LEAD (in the Washington, D.C., metropolitan area, call 202-833-1071). You may also fax your request for this list to 202-659-1192. When you call or fax, please specify that you are requesting the NLLAP/ELPAT List of Laboratories.

The federal government does not maintain a comparable list of X-ray fluorescence (XRF) operators. Some states may maintain their own lists, however.

QUESTIONS PARENTS ASK ABOUT LEAD POISONING

BACKGROUND

Q: I heard that most children have less lead in their blood now than 20 years ago. If this is so, why is childhood lead poisoning in the news now?

A: The average blood-lead level of U.S. children has come down during the last 20 years, largely because of the reduction of lead levels in gasoline and food. But as blood-lead levels have come down, concern about the effects of low lead levels in children has risen.

Q: Why has concern risen about low lead levels in children?

A: There is new evidence that lead is harmful at blood levels once thought safe. Studies show that groups of children with higher lead levels are likely to have lower IQ scores, slower development, and more attention problems than similar children with lower lead levels. These effects are subtle and have been observed in large groups of children with lead levels at least as low as 10 micrograms per deciliter. (Micrograms per deciliter, written as $\mu\text{g/dL}$, indicates the amount of lead in a deciliter of blood.)

BLOOD TESTS

Q: Should I have my child's blood tested for lead?

A: The only way to know for sure if your children have elevated blood-lead levels is to have them tested. The Centers for Disease Control recommend testing almost all children at 12 months of age, and, if resources allow, at 24 months. Screening should start at 6 months if the child is at risk of lead exposure (for example, if the child lives in an older home built before 1960 which has peeling or chipping paint). Decisions about further testing should be based on previous blood-lead test results and the child's risk of lead exposure. In some states, more frequent lead screening is required by law.

Q: Why should I have my child screened for lead?

A: Virtually all children in the United States are at risk for lead poisoning. As a result of industrialization, lead is widespread in the environment. Lead is harmful to the developing brain and nervous system of fetuses and young children. Children are more likely than adults to be exposed to lead because they have more hand-to-mouth activity than adults and because they absorb more lead than adults. Large numbers of U.S. children continue to have blood-lead levels in the toxic range. It is important for you to know if your child is one of them.

Q: My child's blood-lead level is between 15 and 19 $\mu\text{g/dL}$. The doctor tells me to bring her back in a few months for another test. Isn't there anything else I could be doing?

A: Your child's test showed that she had more lead in her blood than the average child in the United States. If your child's level stays in this range for several months or goes up, you should have your home inspected in order to find any sources of lead.

Q: The doctor says my child's lead level is between 10 and 14 $\mu\text{g/dL}$. What does this mean? Has my child been damaged?

A: Studies of the effects of lead on large groups of young children show that lead can be harmful at these blood levels. It is important to remember, however, that these effects are seen in studies of large groups of children and do not mean that every child will have the same problems. To help your child grow up healthy and smart, make sure she or he receives the proper foods, adequate shelter, and plenty of love.

This document was prepared by the U.S. Dept. of Health & Human Services, Public Health Service, Centers for Disease Control, Atlanta, Georgia, for distribution by the National Lead Information Center. 10/92

United States
Environmental
Protection Agency

EPA/530-F-92-031
April 1993

Solid Waste and Emergency Response (OS-305)

Household Hazardous Waste

Steps to Safe Management



Healthy Lawn

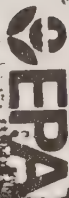


Healthy Environment

Caring for your lawn in an environmentally friendly way

SEPA

United States
Environmental Protection Agency



An
Environmental
Guide For Owners
and Drivers of
Cars, Vans, Trucks
and Other
Motor Vehicles

ment

Driving for the Environment's Sake—A Quick Review

An environmentalist in the driver's seat saves money. Driving efficiently can save ten percent or more on fuel costs alone even if you don't reduce the number of miles you drive. If you drive less, you save even more. And what's more, driving efficiently is safer driving.

Here's a quick checklist of environmentally sound, fuel-efficient, emissions-reducing driving practices (for details, look inside this booklet):

- Use the right gasoline and oil (follow manufacturer's recommendations).
- Have all manufacturer's maintenance recommendations performed correctly.
- Limit warm ups to 30 seconds.
- Minimize cold starts.
- Minimize idling (Idling – zero miles per gallon).
- Avoid waiting in lines at drive-ins where possible.
- Use (but don't abuse) 'right-turn-on-red.'
- Accelerate gently and steadily.
- Obey posted speed limits.
- Drive as much as possible at the most fuel efficient speeds--between 35 mph and 45 mph, except, of course, on beltways and interstate highways with higher speed limits.
- Use cruise control to maintain a steady speed when possible.
- Keep windows shut at high speeds.
- Minimize air conditioning use.
- Don't speed up only to have to brake quickly.
- Plan and combine your trips.
- Use other means of transportation.

Acknowledgments--Participating in the development of this publication were the EPA Office of Air and Radiation and the Office of Communications, Education, and Public Affairs, with assistance from the Office of Solid Waste, the Global Change Division, and the Office of Mobile Sources



Fact Sheet: 21 Water Conservation Measures for Everybody



The earth is covered with water, yet only one percent is available for drinking. Unfortunately, many of us take this small percentage for granted. The average adult needs only 2-1/2 quarts of water per day to maintain health, but in the United States, we each use 125 to 150 gallons per day for cooking, washing, flushing, and watering. That's over 40 percent more water than we need to accomplish these tasks. Our wasteful habits not only deplete clean water reserves faster than we can replenish them, but they pollute many waterways, rendering them unfit for human consumption. They also stress aging drinking water and sewage treatment facilities beyond their capacities. In each of the past few years, wastewater treatment systems dumped an estimated 2.3 trillion gallons of inadequately treated sewage into U.S. coastal waters, destroying beaches, fisheries, and other marine life.*

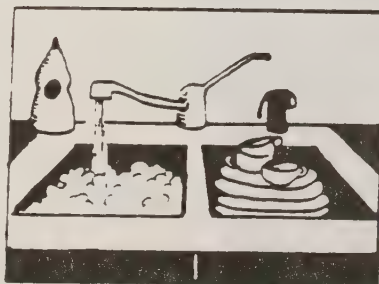
We waste water both by practicing bad habits, like leaving the water running when we brush our teeth, and by using antiquated equipment not built with water conservation in mind. Bad habits can be difficult to change, but new ones can save thousands of gallons of water per year per person. Installing new water-saving equipment and small devices also can save significant amounts of water per household without requiring us to change our daily routines. Many devices are inexpensive, available in local hardware stores, and easy to install. They can save energy (and energy bills) too! By following a few simple steps, a typical family of four can save an astounding 50,000 to 100,000 gallons of water per year. What are we waiting for?

For Every Room in the House

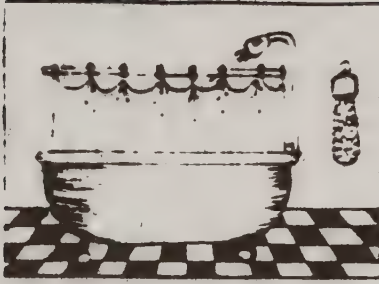
- Repair leaky faucets, indoors and out. One leaky faucet can use up to 4,000 gallons of water per month.
- Install faucet aerators. These inexpensive devices can reduce water use up to 60 percent, while maintaining a strong flow.

In the Kitchen

- When cooking, save 10 to 15 gallons of water per meal by peeling and cleaning vegetables in a large bowl of water instead of under the running tap.
- When handwashing dishes, save 15 gallons of water by soaking dirty dishes in the basin, then rinsing them off.
- Run full-load dishwashers to save 15 gallons per load and hot water costs, too.
- When buying a new dishwasher, select one with a "light-wash" option. Newer models use 20 percent less water than older ones.

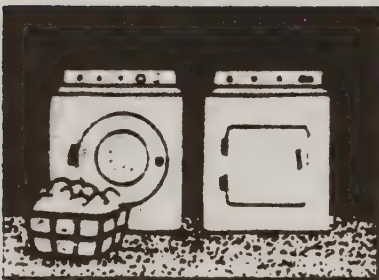


*Congress of the United States, Office of Technology Assessment, 1987. Waste in the Manne Environment, Washington, D.C.



In the Bathroom

- Take short showers instead of baths. Showers use an average of 5 to 7 gallons per minute, three times less than the water used to take a bath.
- Install a low-flow showerhead. This will cut water use in the shower to just 3 gallons per minute and still provide an invigorating flow.
- Turn off the water to brush teeth, shave, and soap up in the shower. Filling the sink to shave uses only 1 gallon, while letting the water run can use 10 gallons per shave or more. Turning off the water when you brush your teeth can save 4 gallons of water each time.
- Repair leaky toilets to save more than 50 gallons of water per day. Add 12 drops of food coloring into the tank. If color appears in the bowl one hour later, the unit is leaking.
- Install a toilet displacement device to save thousands of gallons of water per year or 5 to 7 gallons per flush. Place one to three weighted plastic jugs into the tank, making sure the jugs don't interfere with the flushing mechanism or a suitable flow. Or, instead of jugs, use toilet dams that hold back a reservoir of water during each flush, saving 1 to 2 gallons. Don't use bricks because they can chip and foul the flushing mechanism.
- When buying a new toilet, select a low-flush model that uses less than 1-1/2 gallons of water to flush, saving over 7,000 gallons per year per person.



On Wash Day

- When purchasing a new washing machine, buy a water-saving model that can be adjusted to load-size and has a "suds-saving" option. New models use 40 percent less water than older models.
- For old and new machines, run full loads only.



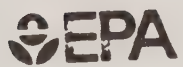
Taking Water Conservation Outdoors

- Mow your lawn with water retention in mind. Set mower blades on a high setting (2- to 3-inch grass length as opposed to golf-course short) to provide natural ground shade and promote water retention by the soil.
- Water lawn and garden in the morning when evaporation is lowest.
- Water no more than 1 inch per week, applied slowly to prevent runoff. Place several empty cans around the yard when watering to determine how long it will take to water 1 inch.
- Collect rainwater for watering plants using a barrel covered with a screen.
- Plant indigenous species suited to your area and save as much as 54 percent of the water used to care for outdoor plants. Ask your local nursery for plant and grass species that require less water.
- When washing your car, turn off the hose between rinses to save up to 150 gallons per washing.
- Sweep down driveways and sidewalks regularly to prevent water from being used to wash them.

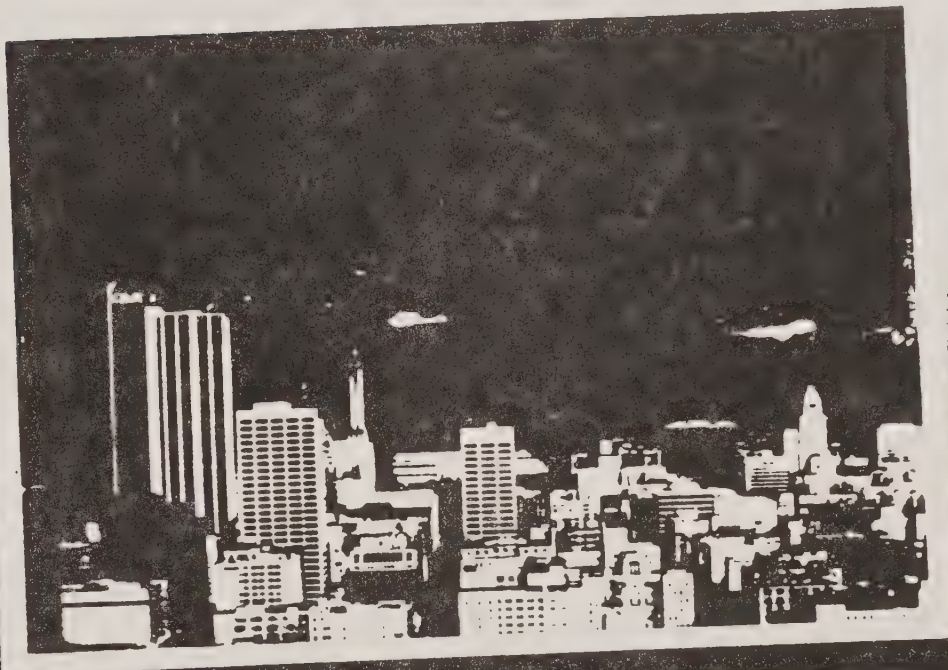
United States
Environmental Protection
Agency

EPA 450-K-92-002
October 1992

Air And Radiation (ANR-443)



What You Can Do To Reduce Air Pollution



A Citizens Guide to What
Individuals and Communities Can Do
to Help Meet the Goals of the
Clean Air Act Amendments of 1990

Air pollution affects everyone

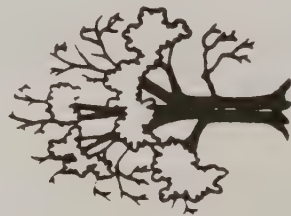
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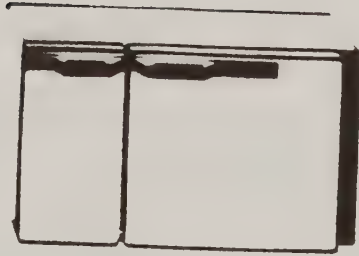
Air pollution threatens the health of human beings and other living things on our planet. While often invisible, pollutants in the air create smog and acid rain, cause cancer or other serious health effects, diminish the protective ozone layer in the upper atmosphere, and contribute to the potential for world climate change.



Smog and other types of air pollution can lead to or aggravate respiratory, heart, and other health problems. It can be particularly harmful to people with existing lung or heart disease, the elderly, and the very young. Six of every ten Americans live in areas that fail to meet one or more federal air quality standards during some portion of the year. However, not everyone who lives in such areas will have health problems. Level, extent, and duration of exposure, age, individual susceptibility, and other factors play a significant role in determining whether or not someone will experience pollution-related health problems. Since polluted air can move from one area or region to another, it has the potential to affect virtually all of us.

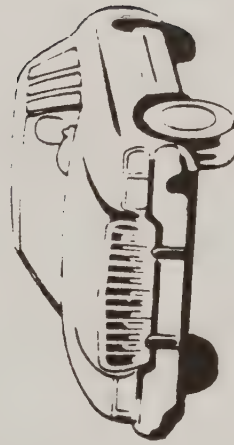


Acid rain—caused by sulfur dioxide and nitrogen oxides combining with moisture in the air—limits the ability of lakes to support aquatic life, may damage trees and plants, and erodes building surfaces and national monuments. Pollutants in the air can also reduce visibility, obscuring the majestic vistas in national parks such as Grand Canyon and Shenandoah.

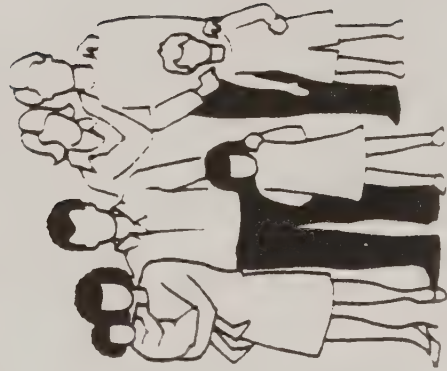


Other air pollutants, called "air toxics"—are known or suspected to cause cancer or other serious health effects, such as damage to respiratory or nervous systems. Air toxics include metals, particles, and certain vapors from fuels and other sources.

Some chemicals used in refrigerators and air conditioners last a long time if released into the air, rising to the upper atmosphere where they destroy the protective layer. These and other air pollutants (like methane and carbon dioxide) also contribute to the suspected accelerated warming of the earth, known as the "greenhouse effect."

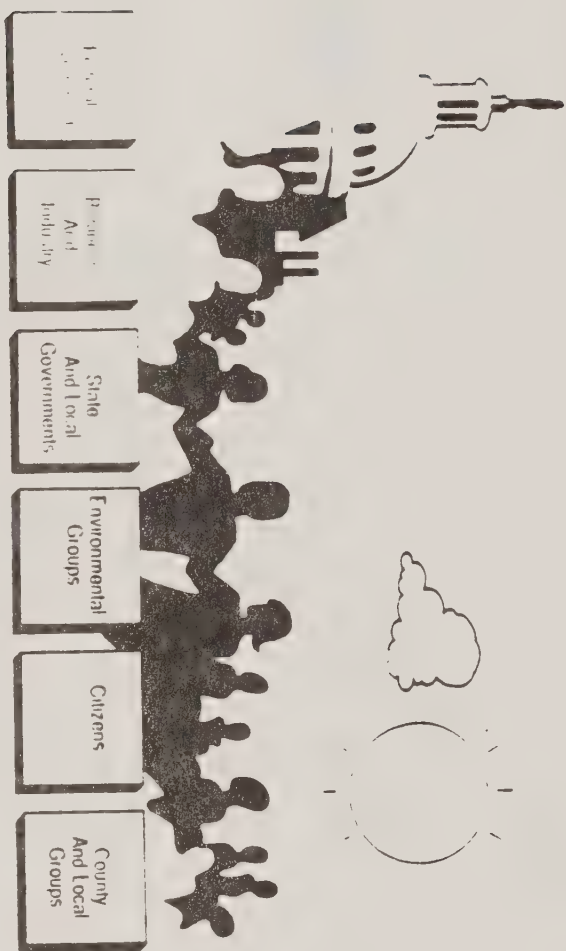


Air pollution has many sources. Some sources are obvious—like industrial smokestacks, chemical plants, automobiles, trucks, and buses. Others are not so obvious like gasoline stations, dry-cleaners, outboard motors, lawn, garden, farm, and construction equipment engines, certain paints, and various household products.



Everyone can play a role in preventing and reducing air pollution. This publication describes efforts already underway, provides you with some basic air pollution information and suggests ways that you can do your part in helping to prevent and reduce air pollution.

Air pollution control: It's everybody's business



Government, industry, environmental groups, and citizens are working together to clean up our air. Here are some examples of what they are achieving:

Denver, Colorado: Denver was once so renowned for its pure mountain air that tuberculosis victims traveled there for treatment. However, in 1985, Denver was under a "brown cloud" much of the time. Pollutants from motor vehicles, industry, and wood stoves clouded the skies and obscured the view of the Rocky Mountains that made the Mile High City a major tourist attraction. The city violated federal carbon monoxide exposure limits 33 days during the winter of 1985.

The public, as well as businesses and community leaders, demanded that something be done to bring clean, healthy air back to Denver. Responding to these concerns, the governor established the Denver Metro Air Quality Council. With technical support from EPA and the Colorado Health Department, the

action, worked with industries, civic groups, and the news media to help remove the area's brown cloud and clean its air. How did they do it?

- New legislation required use of oxygenated fuels during the winter months to reduce cold weather carbon monoxide emissions from gasoline engines. Automobile owners' individual participation helped make this successful.
- The Denver schools switched from diesel fuels to compressed natural gas in new school buses.
- The state avoided legislation that would have delayed implementation of strict emission standards for wood stoves.
- Wood burning in the area was limited.
- The local electric utility replaced particulate-emitting coal fires in powerhouse boilers with a mix of "clean" natural gas and coal. The public bus company converted to low-sulfur fuel during the high-pollution season, tested methanol-fueled buses, and implemented an emissions inspection and maintenance program for its vehicles.
- The public, including employees and shoppers, found ways to drive fewer miles.

What did it all add up to? Carbon monoxide violations dropped from thirty-three in 1985 to only three in 1990. Average daily ozone (smog) levels for the ten highest days dropped considerably. In June of 1990, the United States Conference of Mayors called Denver "the most livable city in the United States."

Air pollution control: it's everybody's business

Klamath Falls, Oregon: A woodsmoke success story

Among the highest particulate matter (PM-10) concentrations recorded anywhere in the nation were those which occurred in a southern Oregon community of 37,500 called Klamath Falls. In January of 1988, measurements of PM-10 were recorded which were five times the federal health standard. The major problem was smoke from residential wood-burners and fireplaces in conjunction with wintertime inversions that trapped the air, causing woodsmoke concentrations to build to very unhealthy levels. Despite some initial resistance, Klamath County initiated strong public awareness and voluntary woodburning curtailment programs.

These programs proved to be insufficient. A 1989-90 health study of school children showing significant declines in lung function during PM-10 episodes alerted the community to the seriousness of the problem. To further improve air quality, in 1991-92 over 325 wood-burners were replaced with alternative heat sources purchased with federal and local funds. In 1991, the community also adopted restrictions on the use of residential wood burning devices when inversions threatened to cause high PM-10 concentrations. As of the summer of 1992, these renewed efforts appeared to have paid off—preliminary data for the 1991-92 wood heating season suggested that the federal health standard was never exceeded. While favorable weather conditions may have contributed in part to that winter's air quality, Klamath Falls has made significant progress in improving air quality and ultimately securing long-term protection of public health.

Getting the lead out

By the 1970s, high levels of lead in our nation's air became a major health concern. Beginning in 1974, EPA launched a major new program to introduce emission control equipment on new cars and phase-out lead in the nation's gasoline. As a result, lead emissions have dropped by 97 percent from 1970 levels. By 1992, about 95 percent of all gasoline sold in the United States was lead-free. Over the next few years, the remainder will be phased out entirely.

Green Lights: Shedding new light on emission reductions

Green Lights is an EPA program aimed at cleaning the air and saving energy by reducing emissions from power plants. About one quarter of the electricity sold in the United States is used for lighting. EPA is encouraging organizations and individuals to voluntarily switch to energy-efficient lighting. In 1992, over 600 companies, state governments and others had enrolled in the Green Lights program and were using 50 percent less electricity while saving money on their electricity bills.

The current square footage in the program equals all of the commercial real estate of Los Angeles, Chicago, Dallas, Detroit, and New York combined. When all the profitable lighting changes are in place, the reductions will likely add up to thousands of tons of nitrogen oxides and sulfur dioxide and 202 million metric tons of carbon dioxide every year. This is the equivalent of removing 44 million cars from the road, a third of the vehicles in use, simply by making profitable investments in modern lighting. Over the next five years, actions of Green Lights participants are expected to prevent over 8.4 million metric tons of air emissions and be a mainstay of the United States' strategy to stabilize greenhouse gas emissions.



Reducing pollution and conserving resources at home and at work



Conserve electricity. Electricity generation can be a major source of pollution. New home and office oriented technology can help. At home or work, you can save electricity by using energy efficient lighting whenever possible. Replacing a common incandescent light bulb with an energy efficient compact fluorescent bulb saves 75 to 80 percent of the electricity. Make sure that lights and appliances are turned off when not in use. In addition, you should raise the temperature level on your air conditioner a few degrees in summer and turn down your heat a few degrees in winter to help conserve energy. The most effective way to conserve energy is to conserve electricity. Reducing electricity reduces air pollution caused by power plants.

- **Participate in your local utility's energy conservation programs.** Ask your local utility about its customer energy conservation program. If they have one, join up. If they don't, encourage them to start one.

- **Buy fuel-efficient motorized equipment.** If you are buying a power mower or other motorized garden tools, construction or farm equipment, or outboard motors, seek out those that are designed to minimize emissions and reduce spillage when being refueled.

- **Avoid spilling gas.** Take special care to avoid spills and the release of fumes into the air when refueling gasoline powered lawn, garden, farm and construction equipment, and boats.

- **Properly dispose of household paints, solvents, and pesticides.** Do not pour these chemicals down the drain, into the ground, or put them into the garbage. Call your local environmental agency for information on proper disposal of these products.

- **Seal containers tightly.** Make sure that containers of household cleaners, workshop chemicals and solvents, and garden chemicals are tightly sealed to prevent volatile chemicals from evaporating into the air. Don't leave containers standing open when not in use.

- **Reduce waste.** When you make purchases, consider using products that are durable, reusable, or use less packaging. Repair broken items rather than buying new ones. Recycle and compost potential wastes before they become part of the waste stream. Such actions help reduce the pollutants that might reach the air during the manufacturing process or during the collection and processing of wastes for incineration or landfill disposal. If there is no local recycling program in your community, start one with the help of your neighbors and the local trash collection company.

- **Use wood stoves and fireplaces wisely and sparingly.** If you have a wood stove, learn how to burn cleanly and more efficiently. Remember to burn dry, well-seasoned wood, and build efficient fires that burn hot and clean. Check your stack, clean your chimney, and inspect your catalyst annually. A well maintained and operated stove produces less pollution and is better for the environment. Adhere to local or state regulations about when and where wood stove use is permitted.

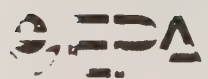
- **Properly dispose of refrigeration and air conditioning equipment.** The Clean Air Act prohibits the release into the atmosphere of refrigerants from automobiles and home appliances during the disposal of this equipment. Contact your local government or trash pickup service to find out what procedures are being implemented in your area to ensure the safe disposal of cars and home appliances. In some areas, municipalities arrange for periodic pickups of home appliances that contain refrigerant. In others, it is required that homeowners have the refrigerant removed by a qualified service technician before the appliance can be picked up.

- **Recycle refrigerant.** As of July 1, 1992, individuals are prohibited from knowingly venting refrigerant into the atmosphere while maintaining, servicing, repairing, or disposing of air conditioning or refrigeration equipment. Make sure that the technician who services, repairs, or maintains your refrigerator or air conditioner has recovery equipment to capture any refrigerant that may be released. This refrigerant can later be recycled. Also, when possible, don't just refill leaky air conditioning or refrigeration systems—repair them.

formation. Your state and county health department and environmental agencies, and the U.S. Environmental Protection Agency. Your state and local agencies will have information on local problems, and the state implementation plan that has been adopted to deal with them. The EPA has a table in annual National In-Depth and In-Action Reports report that include possible pollution problems that include possible pollution problems that include possible pollution problems.

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| Department of Natural Resources, Division of Environmental Quality Air Pollution Control Program Jefferson City, MO (816) 241-8807 | Oklahoma State Department of Health, Air Quality Section Oklahoma City, OK (405) 521-4200 | Oregon Department of Environmental Quality Air Quality Control District Portland, OR (503) 239-5887 | Pennsylvania Department of Environmental Resources Bureau of Air Quality Control Harrisburg, PA (717) 287-9707 | Department of Environmental Management Division of Air and Hazardous Materials Providence, RI (401) 277-2808 | South Carolina Department of Health and Environmental Control Bureau of Air Quality Control Columbia, SC (803) 724-4750 | Department of Environmental and Natural Resources Division of Point Source Control Program Pierre, SD (605) 724-4151 | Utah EPA, Region 1 John F. Kennedy Federal Building One Congress Street Boston, MA 02203 (617) 565-3420 | Utah EPA, Region 4 345 Courtland Street, NE Atlanta, GA 30365 (404) 467-4727 | Utah EPA, Region 5 77 West Lakeview Boulevard Chicago, IL 60660 (312) 353-2000 | Utah EPA, Region 6 First Interstate Bank Tower at Fountain Place 445 First Avenue, 17th Floor, Suite 1300 Bozeman, MT 59702-2733 (410) 255-4444 | Utah EPA, Region 7 726 Minnesota Avenue Kansas City, KS 66101 (913) 514-7000 | Utah EPA, Region 8 One 19th Street, Suite 400 Bozeman, MT 59702-2104 (406) 293-1601 | Utah EPA, Region 9 75 Hawthorne Street San Francisco, CA 94105 (415) 244-1116 | Utah EPA, Region 10 1200 South Avenue Seattle, WA 98101 (206) 553-6077 | Utah EPA, Region 11 1200 South Avenue Seattle, WA 98101 (206) 553-6077 | Utah EPA, Region 12 1200 South Avenue Seattle, WA 98101 (206) 553-6077 | Utah EPA, Region 13 1200 South Avenue Seattle, WA 98101 (206) 553-6077 | Utah EPA, Region 14 1200 South Avenue Seattle, WA 98101 (206) 553-6077 | Utah 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Citizen's Guide to Pest Control and Pesticide Safety



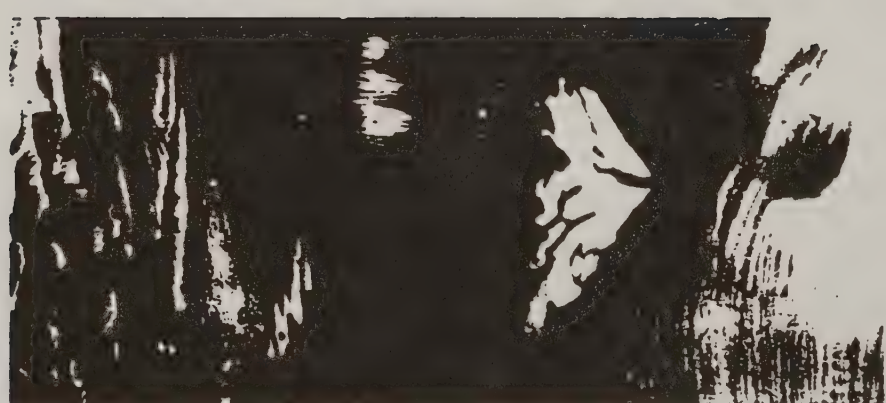
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Additional copies can be obtained by contacting:

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Civil Rights Staff
Attn: Equal Opportunity Program
1621 N. Kent Street
Room L101
Arlington, VA 22209

Telephone: (703) 235-9497
Fax No.: (703) 235-9498

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